



## **Business Tax/Certificate of Use Working Group SUMMARY OF RECOMMENDATIONS**

### **Background**

The City of Miami Beach currently uses a joint process to issue and renew a Business Tax Receipt and a Certificate of Use for a business desiring to operate in the City of Miami Beach. A Local Business Tax is the tax charged by a local government on any/all businesses, professions, or occupations within its jurisdiction; whereas a Certificate of Use allows for the use and occupancy of the structure based on certifying that the use is permitted and that the structure is in compliance with applicable City Codes. The issuance of a Business Tax Receipt does not mean that the business entity or individual, has complied with our local zoning ordinances.

The current process is coordinated by the Finance Department, which is responsible for reviewing the Business Tax Receipt/Certificate of Use Application and routing it to the appropriate departments for approval (and inspection, as necessary). The Finance Department is also responsible for compiling all the final approvals collecting the tax/fee, determining that the business is current with respect to all financial obligation to the City and issuing the Business Tax Receipt and the Certificate of Use for businesses that operate in the City.

Although it is legally possible for the City to issue a business tax receipt when a business does not have a valid Certificate of Use, from a practical perspective, ensuring that a business has a valid Certificate of Use prior to the issuance of the Business Tax Receipt ensures the following:

- The correct category (and thereby associated tax rate) is applied in calculating the amount required to be paid for the issuance of the Business Tax Receipt
- The proposed business use is permitted for that location and structure, thereby eliminating any confusion and potential payment of a fee that would either need to be refunded, or may be potentially forgone by the business

### **Enabling legislation:**

- Business Tax – Florida State Statute (FS), Chapter 205
- Certificate of Use – Miami Beach Code, Sections 14-66 and 118-2
- Annual Fire Inspections (Required as a condition of Certificate of Use) – Miami Beach Code Chapter 50

In 2006, significant changes were made to FS Chapter 205 to clarify intent. These changes included:

- Changing the name of the tax from an occupational license to a business tax.
- Limiting the ability of a County or municipality to make changes in rate structures or increasing the rate for any specific category, except as specifically exempted for counties or municipalities to adopt a new business ordinance after 1995.

**205.0315 Ordinance adoption after October 1, 1995.** -- Beginning October 1, 1995, a county or municipality that has not adopted a business tax ordinance or resolution may adopt a business tax ordinance. The business tax rate structure and classifications must be reasonable and must be based upon rate structure and classifications prescribed in ordinances adopted by adjacent local governments that have implemented s. 205.0535. If no adjacent local government has implemented s. 205-0535, or if the governing body of the county or municipality finds that the rate

structures or classifications of adjacent local governments are unreasonable, the rate structure or classifications prescribed in its ordinance may be based upon those prescribed in ordinances adopted by local governments that have implemented s. 205.0535 in counties or municipalities that have a comparable population.

Note: S. 205.0535 Reclassification and rate structure revisions specifically pertain to those counties or governments that have not implemented ordinances prior to 1995.

During FY2007/08 and part of FY2008/09, the Business Tax/Certificate of Use working group, composed of members from Finance, Planning, Building, Fire, Code, Parking, Public Works and the Office of Budget and Performance Improvement met a number of times to review the current business tax/certificate of use process. The early part of this process focused on the rate structure and a preliminary report was presented to the Finance and Citywide Projects Committee on May 29, 2008, recommending a reduction in the number of Business Tax categories from over 300 to 15 broad categories, which are universally used by federal and state governments for demographic, financial and statistical purposes. However, subsequent to the May 29, 2008 Finance and Citywide Projects meeting, legal concerns were raised regarding the methods that could be used to accomplish this recommendation. Since that time, the group has been working with the City Attorney's Office to identify potential approaches that would accomplish this simplification of the business tax structure. The difficulty in making any changes within the existing legislation is a problem faced by many local jurisdictions.

As recently as the Florida Association of Business Tax Officials (FABTO) Conference held on April 21-24, 2009, this issue was discussed by representatives from multiple counties and municipalities. At that meeting, the following information was disseminated:

- A reclassification/revision to our Business Tax Ordinance is permitted as long as the reclassification is revenue neutral individually across all occupational categories. The reclassification may have a reduction in tax, but no tax increase to any individual classification is permitted.
- Municipalities may eliminate and create a new Business Tax Ordinance in its entirety, as long as no individual and/or business receives a tax increase.

Further, for several months, concurrent with the recent review of potential approaches to reduce the number of Business tax categories within the limitations of the Statue, which is ongoing and will be presented separately, the working group discussed opportunities to improve efficiency and improve communication, externally and internally. Below is a summary of the main recommendations from the group:

### **Summary of Recommendations**

- Modify City Code to reflect current practices and to eliminate Certificate of Use Inspections where not necessary
  - Modify code requirements to eliminate annual Certificate of Use renewal Building Department inspections
  - Modify code to eliminate the need for Building Department inspections when there is no change in use, only a change in owner, with the exception of restaurants and bars.
  - Modify requirement for Fire inspections pursuant to Section 50-5(c) and City Code Section 14-66 (3) for new applications related to change of ownership but no change in use – to clarify City's internal process that no new inspection is required as long as there is no change in use:
    - ✓ Limited to within six months from last valid CU.
    - ✓ Requires self-certification by business that there is no change in use. Need to develop mechanism that allows departments to confirm change of ownership/no change in use, such as requiring customer to provide copy of prior license, etc.

- ✓ Applies to all businesses except for food, beverage or entertainment establishments - restaurants, bars, and nightclubs. Use specific occupational license codes for these businesses
  - ✓ Discrepancies in information identified by the departments may require a new CU to be issued
  - Evaluate code changes necessary to authorize current practice of background checks for fortune tellers (not conducted by the State, but not required by City Code), gun dealers and pawn brokers. Continue as per Police recommendation as minimum work. Need to add to City Code for fortune tellers, gun dealers, and pawn brokers  
Note: Pedicab driver background check is already required by City Code
  - Clarify interpretation of city code regulations to ensure that a certificate of occupancy or completion will automatically result in a waiver of Building Department inspections for CU for a period of six months from the date of a Certificate of Occupancy/Certificate of Completion
  - Clarify interpretation of city code chapters 14-66 and 118-2 that City can hold CU for non-payment of city fees
- Relationship of CU and Business Tax Process
  - Short term – Use Permits Plus to monitor and track process, automatically schedule CU inspections, and inquiries by applicants to web site. The Building department will be responsible for interface between Eden and Permits Plus
  - Mid term- Finance and Building to coordinate for call center to handle BTR/CU calls after Building Department Pilot program is complete
  - Long term – pursue integrated system/automated interface with ability for customer to view online
- Create a business liaison function to be assumed in the Building Department using existing resources
- Revise certificate of use categories to more accurately reflect planning/zoning requirements
- Increase Certificate of Use Fees
  - preliminary analysis reflects current revenues are less than costs
  - Incorporate comprehensive review as part of Building Development Fees Study
- Implement streamlining improvements as outlined in the attachment, including increased use automation

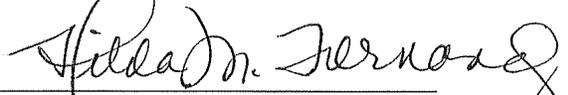
## Attachments

- Attachment I: Recommended Improvements
- Attachment II: Process Flow Charts
- Attachment III: Submittal Requirements
- Attachment IV: Enabling Legislation
- Attachment V: Preliminary Fee Analysis

  
 Jorge M. Gonzalez, City Manager

**Business Tax/Certificate of Use Working Group Members**

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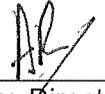
Hilda Fernandez, Assistant City Manager

  
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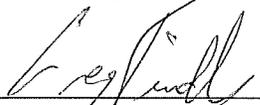
Kathie G. Brooks, Director Office of Budget and Performance Improvement

  
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Patricia D. Walker, Chief Financial Officer

  
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Alejandro Rey, Director Building Department

  
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Greg Tindle, Code Compliance Division Director

  
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Kevin Crowder, Economic Development Division Director

  
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Sonia Macher, Fire Marshall

  
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Richard Lorber, Planning and Zoning Manager

**ATTACHMENT I:  
RECOMMENDED IMPROVEMENTS**



## **Business Tax/Certificate of Use Working Group OPPORTUNITIES FOR IMPROVEMENT Revised through March 11, 2009**

### ➤ **Opportunities for Improvement**

- General:
    - Online application with ability to scan in documents
      - Listing of required documents to be available on-line
    - All documents to be required to be in-hand prior to initiation of process
    - Create report based on turnaround time by type of license (overall and by Department) – to be used to track bottle necks
    - Improve description of property in Eden – need to property address check with Geographic Information System (GIS) – add “also known as” address if applicable
    - Modify procedure so that Eden provides prior/existing business tax type, including when adding an additional type to an existing (“additional services”)
    - Modify procedure so that Eden provides application details (suite #, square footage, etc.)
    - Modify Sequencing of Reviews –
      - Planning and Building verification of Certificate of Occupancy (CO)/Certificate of Completion (CC), Risk Mgt
      - Create ability to add to CO/CC information (number, occupancy, occupant load, # of apartment units, etc.) in business tax fields
      - Building and Fire inspections, Code
      - All other departments to be notified simultaneously by system
    - Need ability to notify customer with comments for the customer automatically (interim comments and when denied) – require collection of email addresses and or fax numbers as part of the application process (pending Eden interface)
    - Examine use of Permits Plus to monitor and track Certificate of Use (CU) process, automatically schedule CU inspections, and inquiries to web site and direct any required follow-up calls to the Call Center once knowledge-base is built – Building to be responsible for interface between Eden and Permits Plus
    - Require non-refundable payment of all application fees prior to Finance review (optional to pay non-refundable inspection fees at that time)
    - Modify City Code to create timeline for “expiration” of pending Business Tax Receipt (BTR)/Certificate of Use (CU) application – CU should be 6 months consistent with Building permits with ability to extend at discretion of Manager, however, application for Business Tax expires after 90 days.
    - Create inspection fees on-line with on-line notification after Planning and Building CO review
- Note: Current process to scan microfilm of CO's prior to 1988 will be available online in next year*
- Research ability to provide pre-sale certification inspection for a fee (Fire already has a fee (Special Inspection Fee) but does not charge, Building does not currently do courtesy inspections) – ensure legal research regarding liability

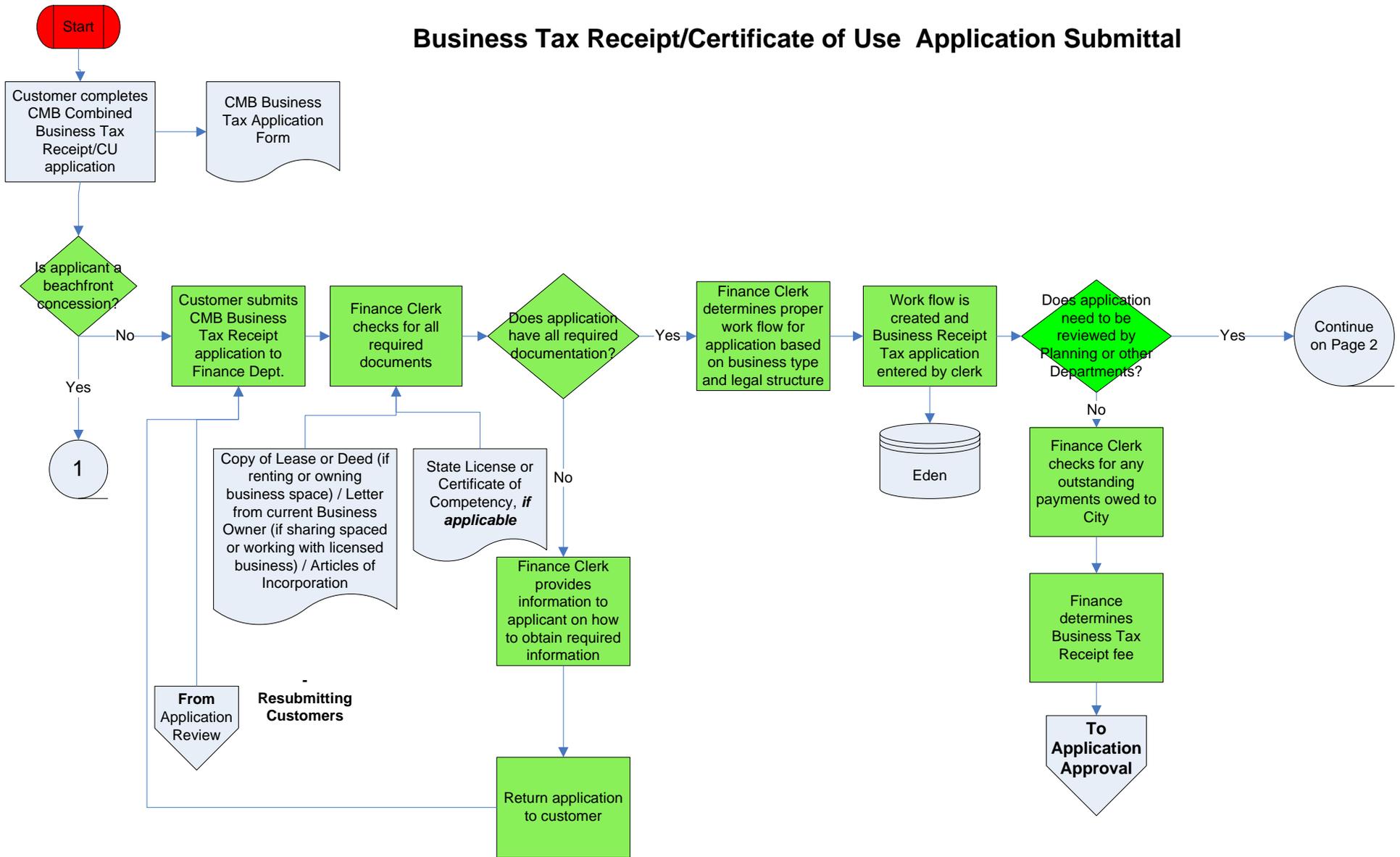
- In the longer term, create the ability to interface to a system that identifies properties with conditional use, variances or other development restrictions to be used to screen which change of ownership applications require planning review
- New Certificate of Use Application: New Owner and New Use
  - Streamline queue for business type that needs to be reviewed by Planning, Fire, and Building
- Change of Ownership Application for Same Use – Self-certification:
  - Modify requirement for Fire inspections pursuant to Section 50-5(c) and City Code Section 14-66 (3) for new applications related to change of ownership but no change in use – to clarify City’s internal process that no new inspection is required as long as there is no change in use:
    - Limited to within six months from last valid CU.
    - Requires self-certification by business that there is no change in use. Need to develop mechanism that allows departments to confirm change of ownership/no change in use, such as requiring customer to provide copy of prior license, etc.
    - Applies to all businesses except for food, beverage or entertainment establishments - restaurants, bars, and nightclubs – use specific occupational license codes
    - Discrepancies in information identified by the departments may require a new CU to be issued
- Issuance of Approval for CU and BTR:
  - If all documents obtained up front, no need to check again at the end of the process
  - Create electronic notification to recipient
- Annual Renewal of CU:
  - Incorporate Parking violations/pending special mater issues, etc. into City repository for Code violations (Permits Plus) – eliminating need for separate Parking violations check
  - Automate process for checking list of Business Tax renewals with outstanding payments
  - Need to reconcile cost of service with Fire Inspection and application and renewal fees
- Planning:
  - Discontinue providing paper copies to Planning – Finance to work on making all documentation available on-line, and provide ability to other Departments. to append items on-line also – in the interim Planning will coordinate with Finance as needed
  - Modify system to provide internal communications between departments regarding CU concerns – potential to solve with Permits Plus
- Sidewalk Café:
  - Modify code to allow application for CU for restaurant to be simultaneous with sidewalk café permit application – but not allow issuance for sidewalk café until restaurant CU is approved  
*Note: Renewal process for Sidewalk Café requires annual plans review, annual review of certificate of insurance, and signatures from all applicable departments*
  - Approval to be on-line – dependant upon electronic plan review because of need for drawings to scale

- Building:
  - Department to work on coordinating multiple inspections on same property
  - Require inspections to be performed within 3 days of request
  - Create CU inspection checklist for each discipline
  - Modify Code to clarify that CU will be issued when CO is issued at no fee ONLY IF NO ADDITIONAL INSPECTIONS/REVIEW IS REQUIRED
  - Need to create mechanism to streamline process to accomplish, including defined timelines, etc.
  
- Fire:
  - New proposed process - Process to be changed upon availability of new on-line process so that routing for Fire and Building inspections is not initiated until Planning and Building CO verification is complete and inspection fees are paid on-line – scheduling of inspections coordinated by Fire and Building within 3 business days – no need to wait until customer calls
  - Require inspections to be performed within 3 days of on-line verifications that the business is ready to be reviewed
  - Create inspection checklist
  
- Risk Management:
  - Risk Management agreed to electronic review of insurance documents (Certificate of Insurance to be provided as a scanned document – see above)
  - Parking – annual insurance updates for storage locations should be maintained by Risk Management
  
- Code:
  - Code – agreed at meeting with Code and Finance – agreed to continue current process where Finance checks for fines and Code checks for violations where there are no fines
  
- Parking:
  - Valet - New application needed if Valet Company adds storage lot or pick-up location
    - Modify Procedure to link valet application to valet storage facility
    - Streamline valet operator license (only Planning and Parking review)
    - Obtain storage lot license information from valet applicant as part of the application
    - Parking – annual insurance updates for storage locations should be maintained by Risk Management
  - Note*
    - Parking to review for operational logistics
    - Code to review for current status of the business being served
  - Lots/Garages with or without valet subcontractors
    - Lighting requirements to be reviewed by Code in addition to any field inspections required by Planning
    - Parking needs notification only

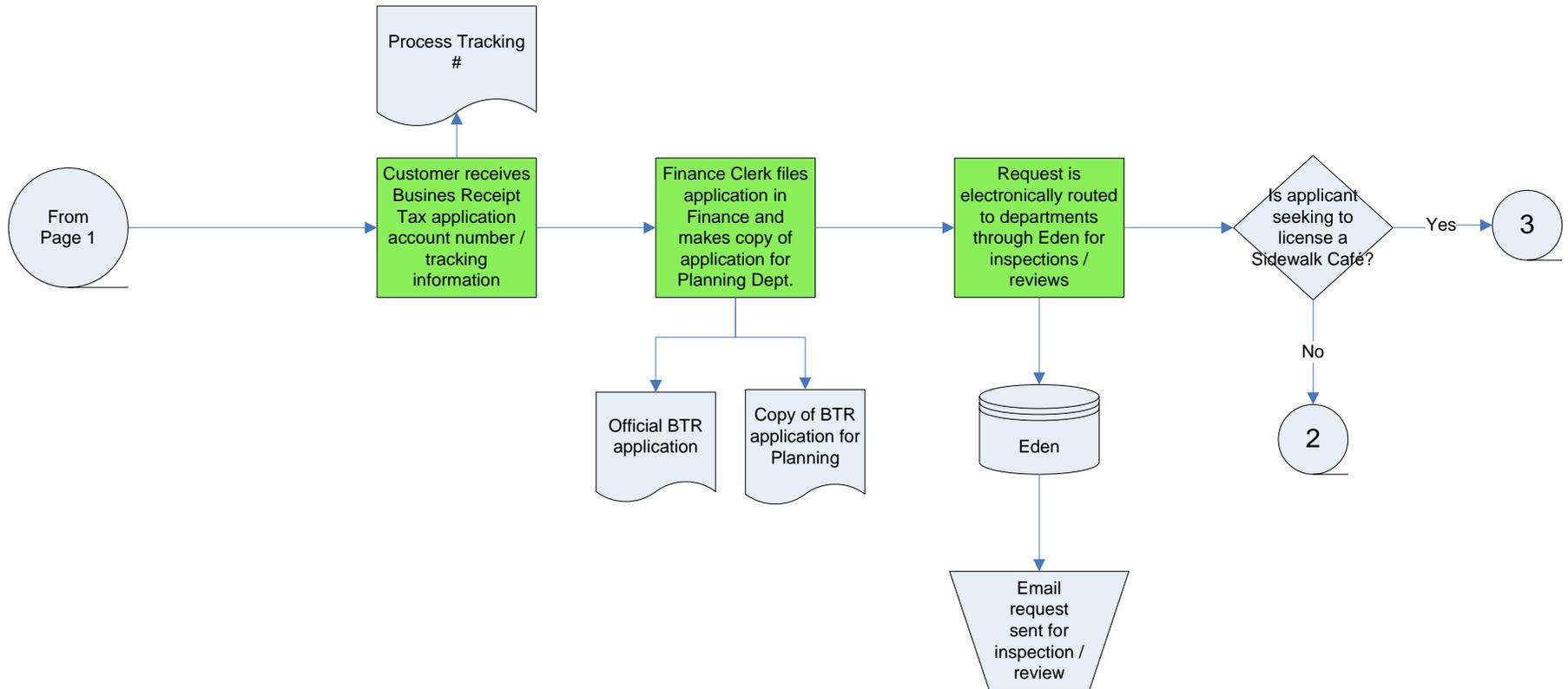
- Police:
  - Evaluate code changes necessary to authorize current practice of background checks for fortune tellers (not conducted by the State, but not required by City Code), gun dealers and pawn brokers – continue as per Police recommendation as minimum work – add to City Code for fortune tellers, gun dealers, and pawn brokers  
*Note: Pedicab driver background check is already required by City Code*
  - Modify process flow in Eden to add Police for fortune tellers, pedicab drivers, gun dealers and pawn brokers
  
- Request to Separate CU from BTR Process:
  - Mid term- Finance and Building to coordinate for call center to handle BTR/CU calls after Building Pilot program is complete
  - Long term – pursue integrated system/automated interface with ability for customer to view online
  
- Incorporate code requirements that are life safety as part of renewal process:
  - Including 40 and 10 year recertification requirements –
    - Building to provide a listing of properties in violation in automated format
    - Finance to work with Building to incorporate 40 and 10 year violation fines as part of lien search process
    - Building to work with Finance to provide courtesy notice to tenants of owners prior to violation – this may be dependent on the longer term integrated system

**ATTACHMENT II:  
PROCESS FLOW CHARTS**

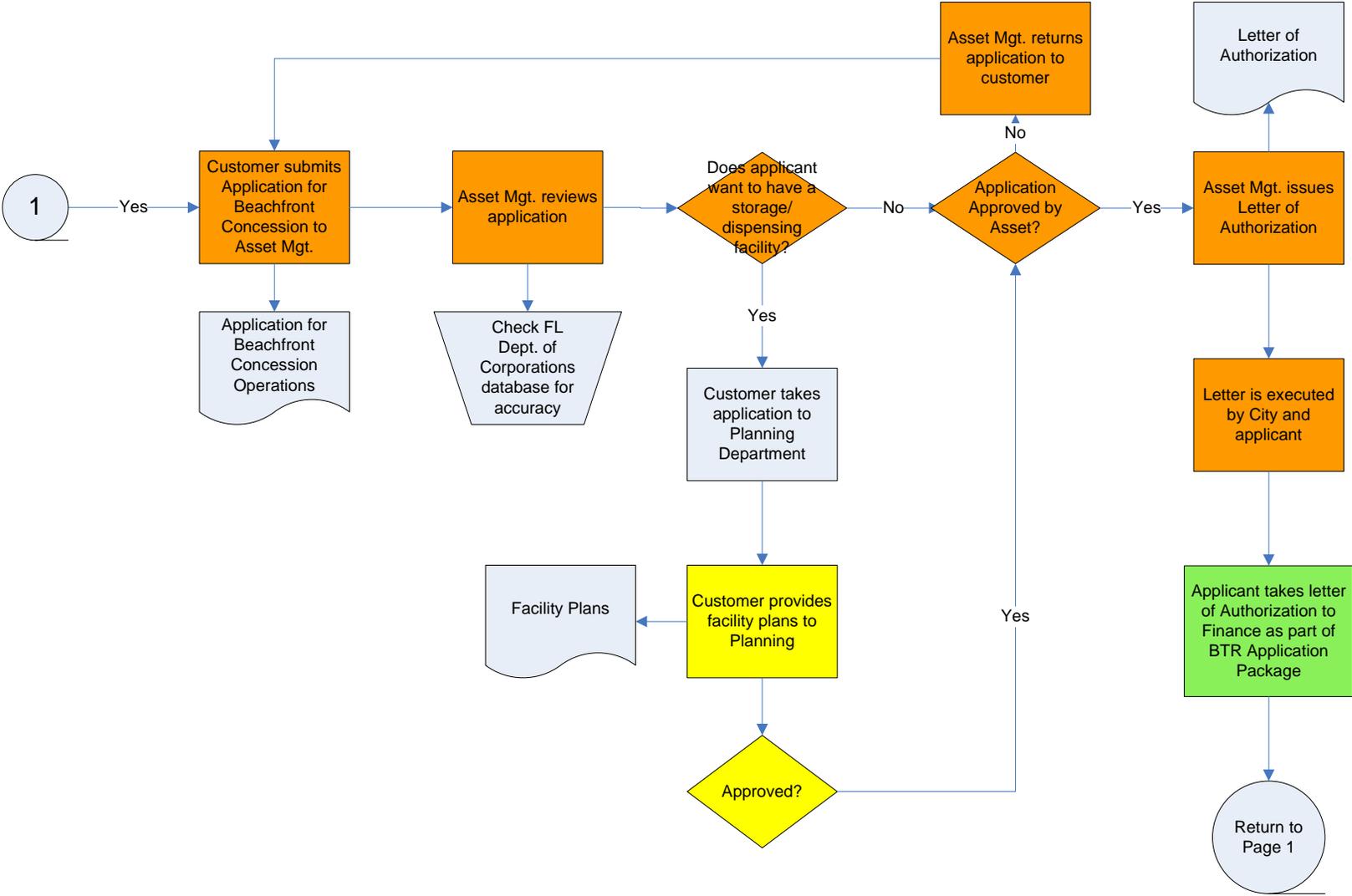
# Business Tax Receipt/Certificate of Use Application Submittal



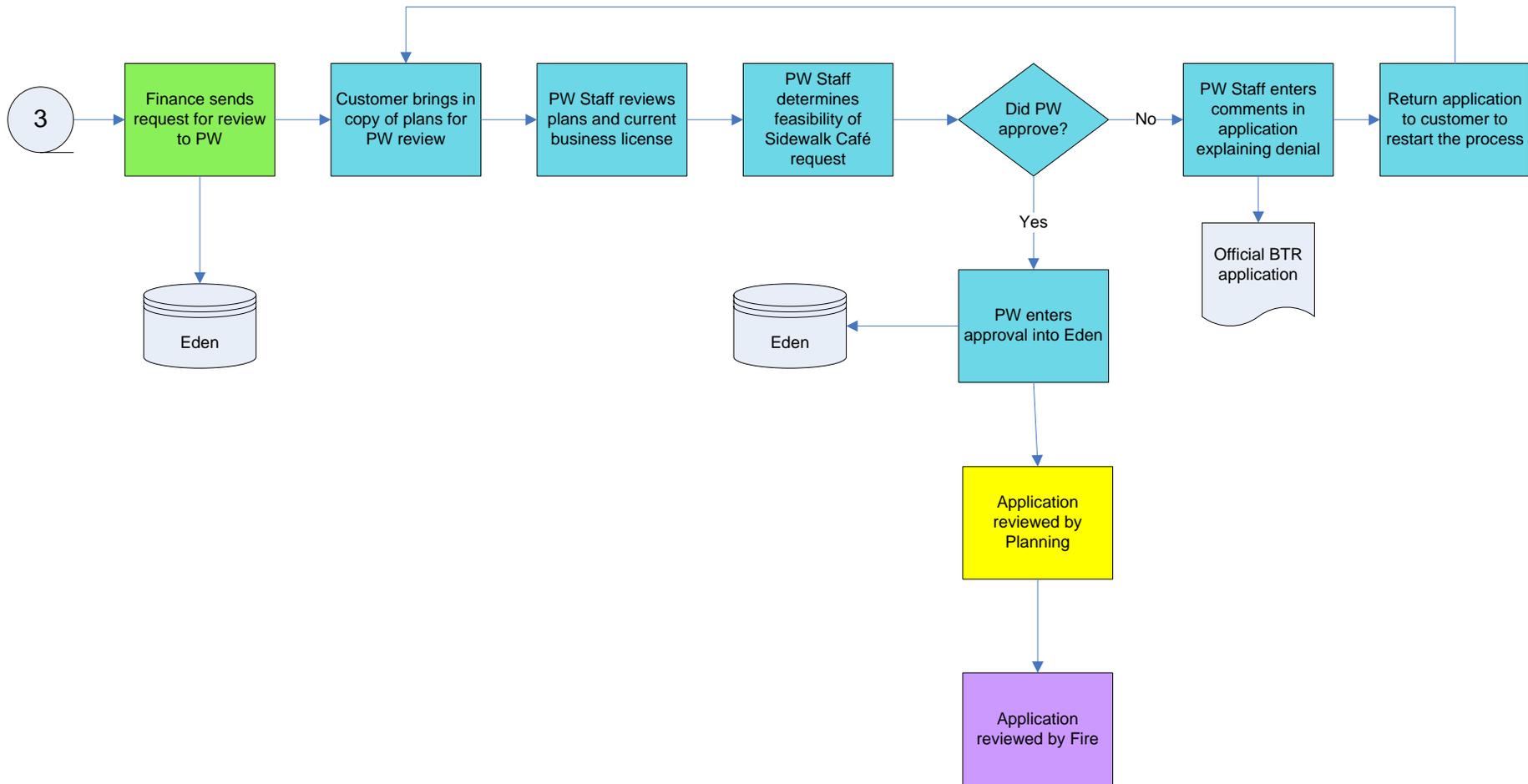
## Business Tax Receipt/Certificate of Use Application Submittal - 2



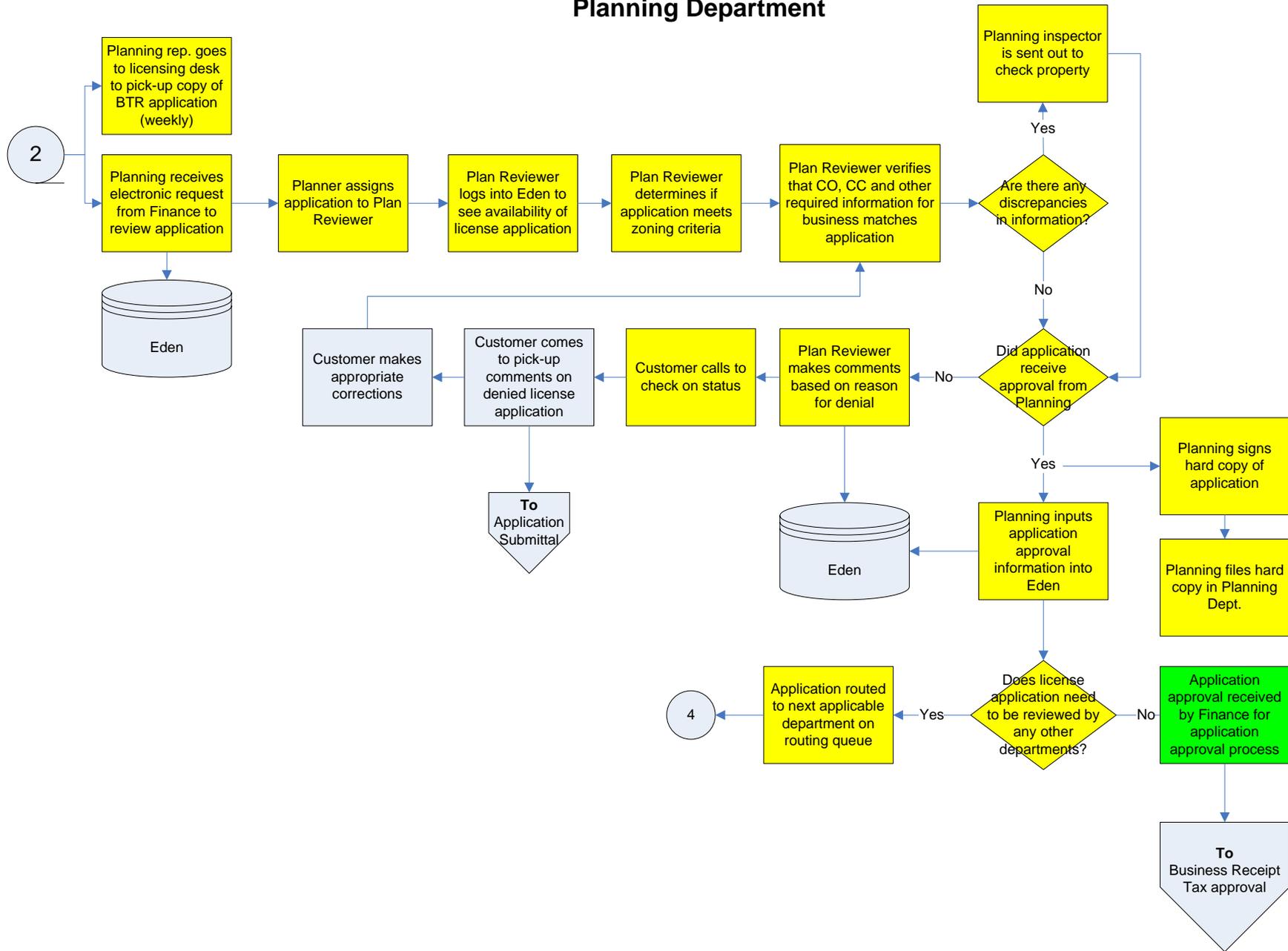
# Business Tax Receipt Application for Beachfront Concessions



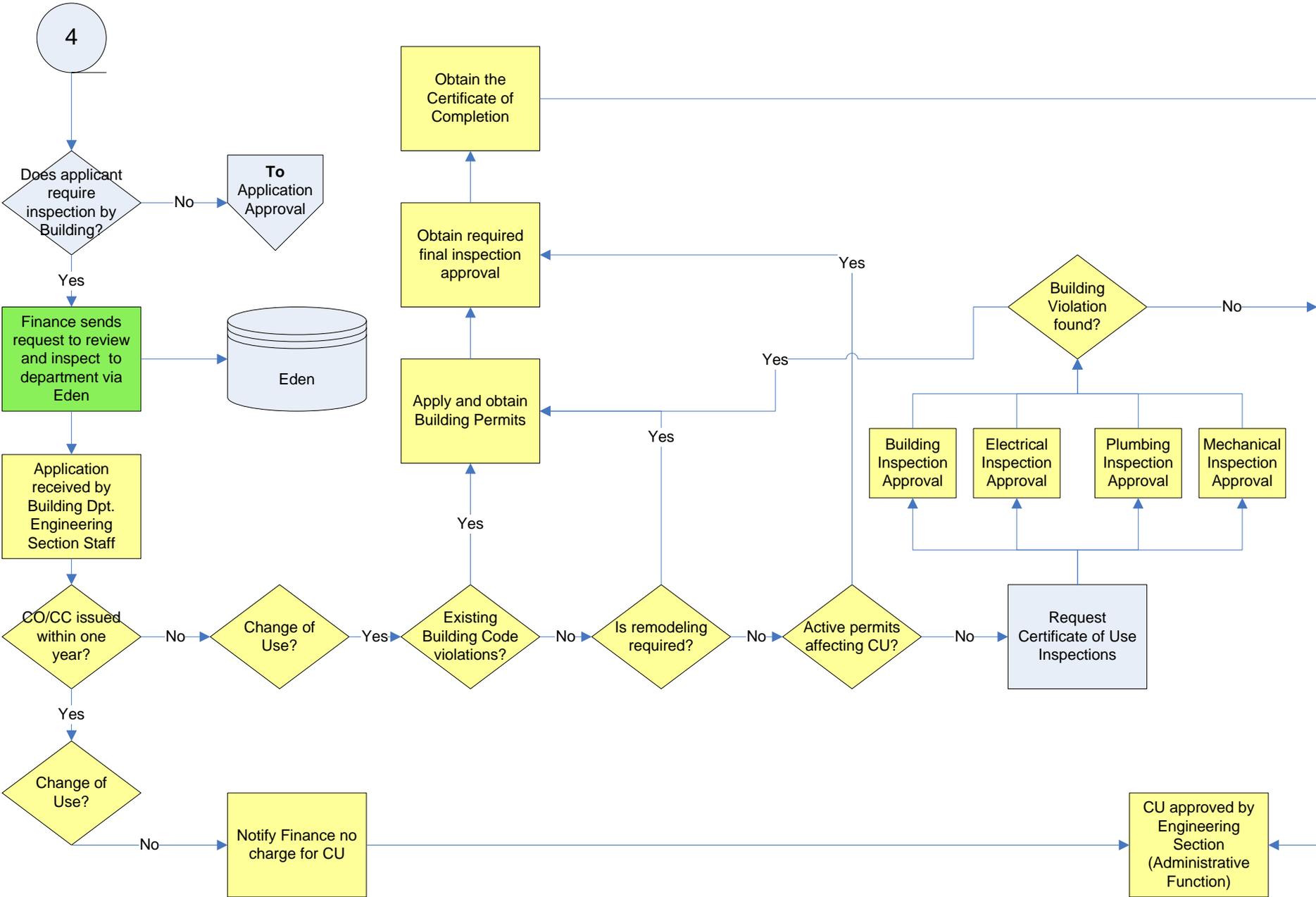
## Business Tax Receipt/Certificate of Use Application Review – Sidewalk Café (Public Works)



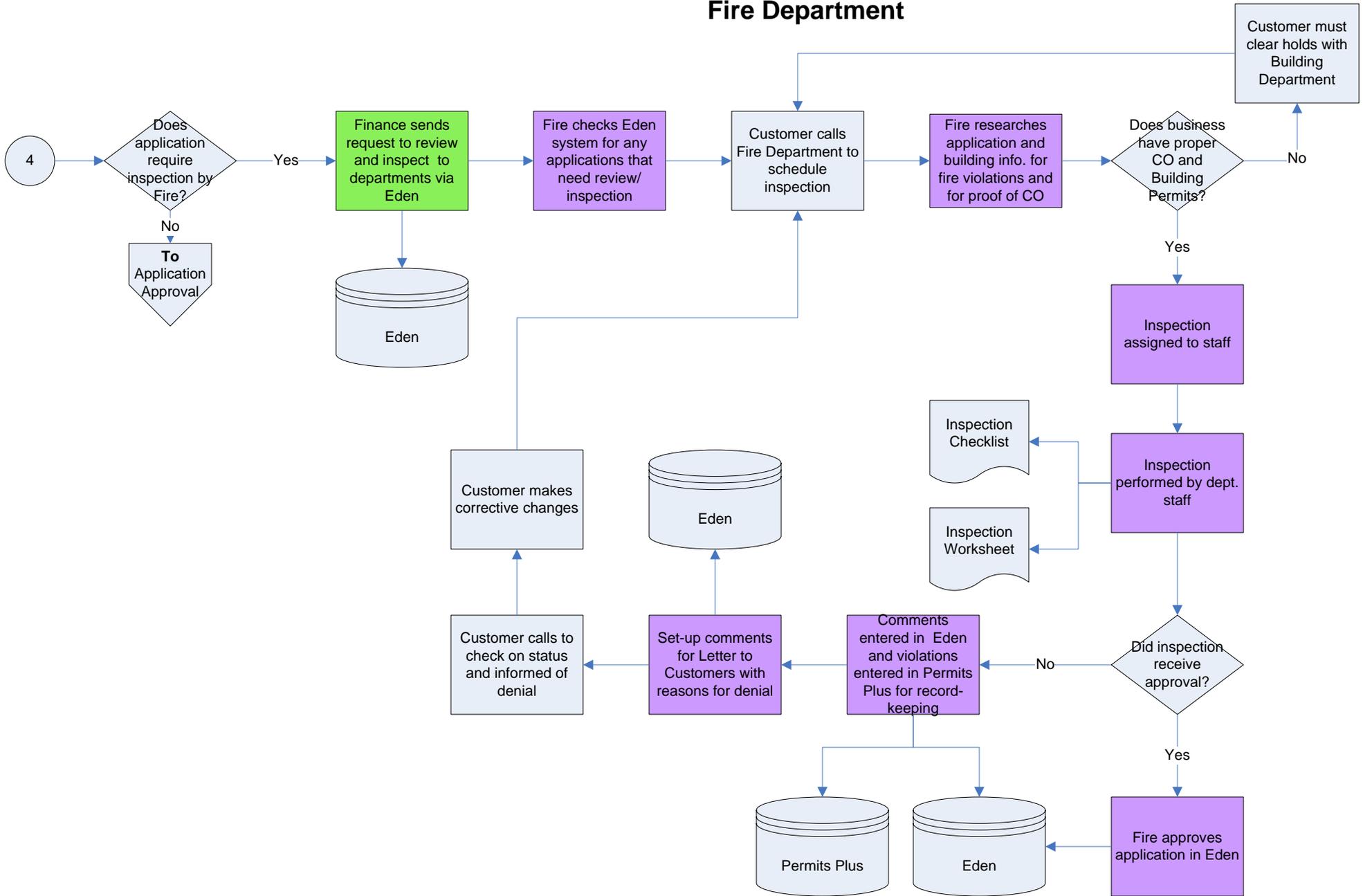
## Business Tax Receipt/Certificate of Use Application Review – Planning Department



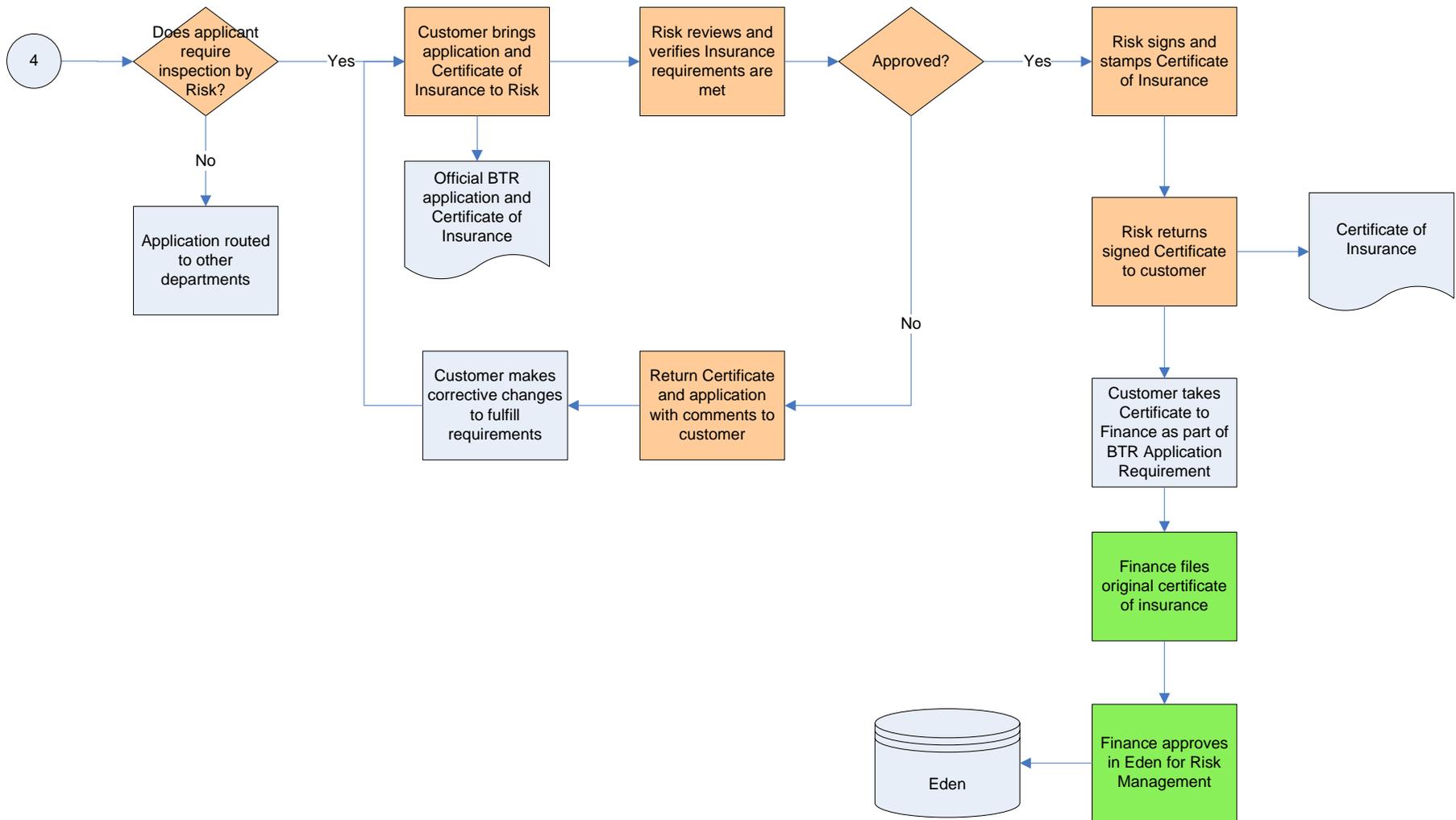
# Business Tax Receipt/Certificate of Use Application Review – Building Department



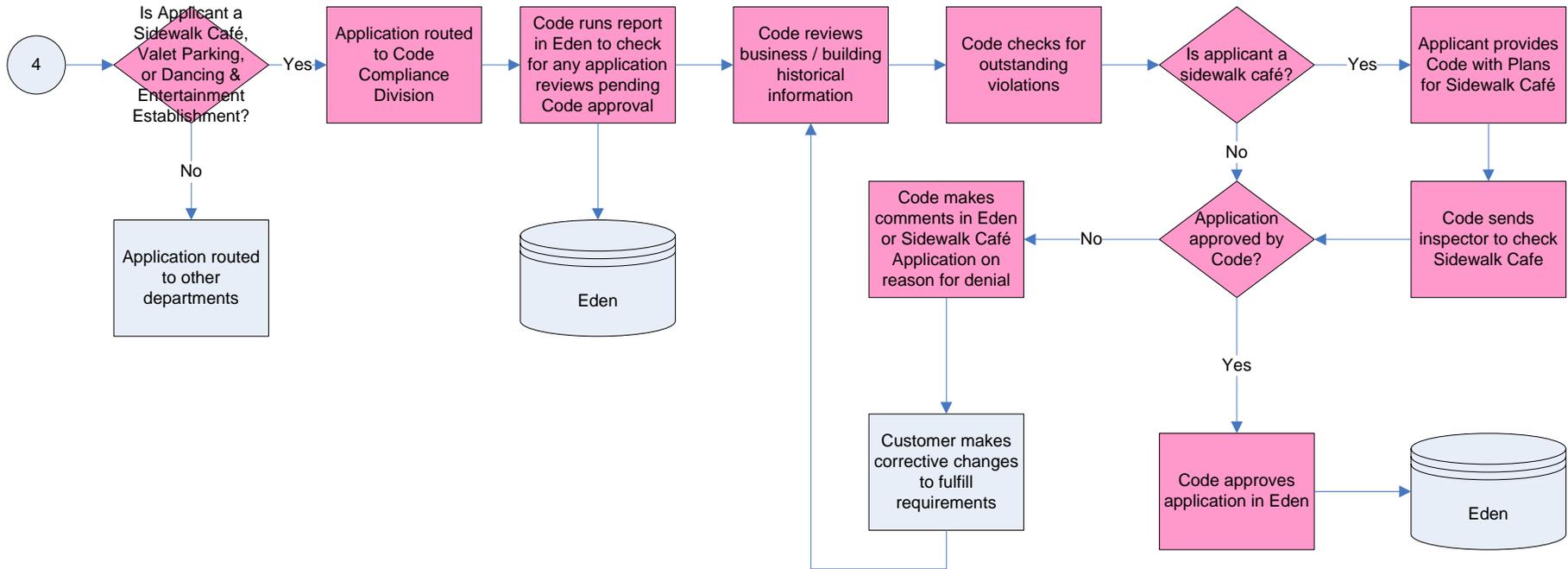
# Business Tax Receipt/Certificate of Use Application Review/Inspection Fire Department



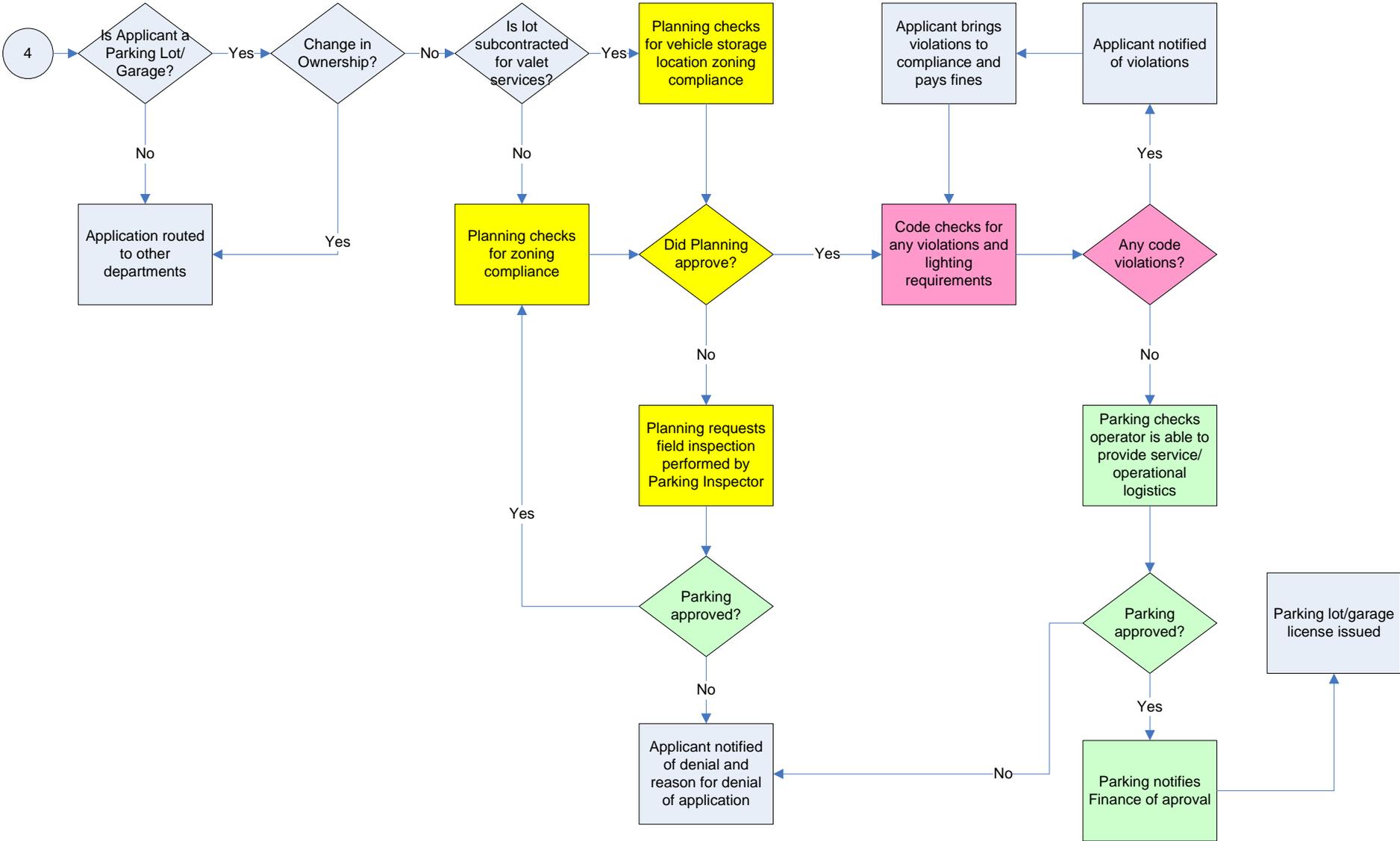
## Business Tax Receipt/Certificate of Use Application Review - Risk Management



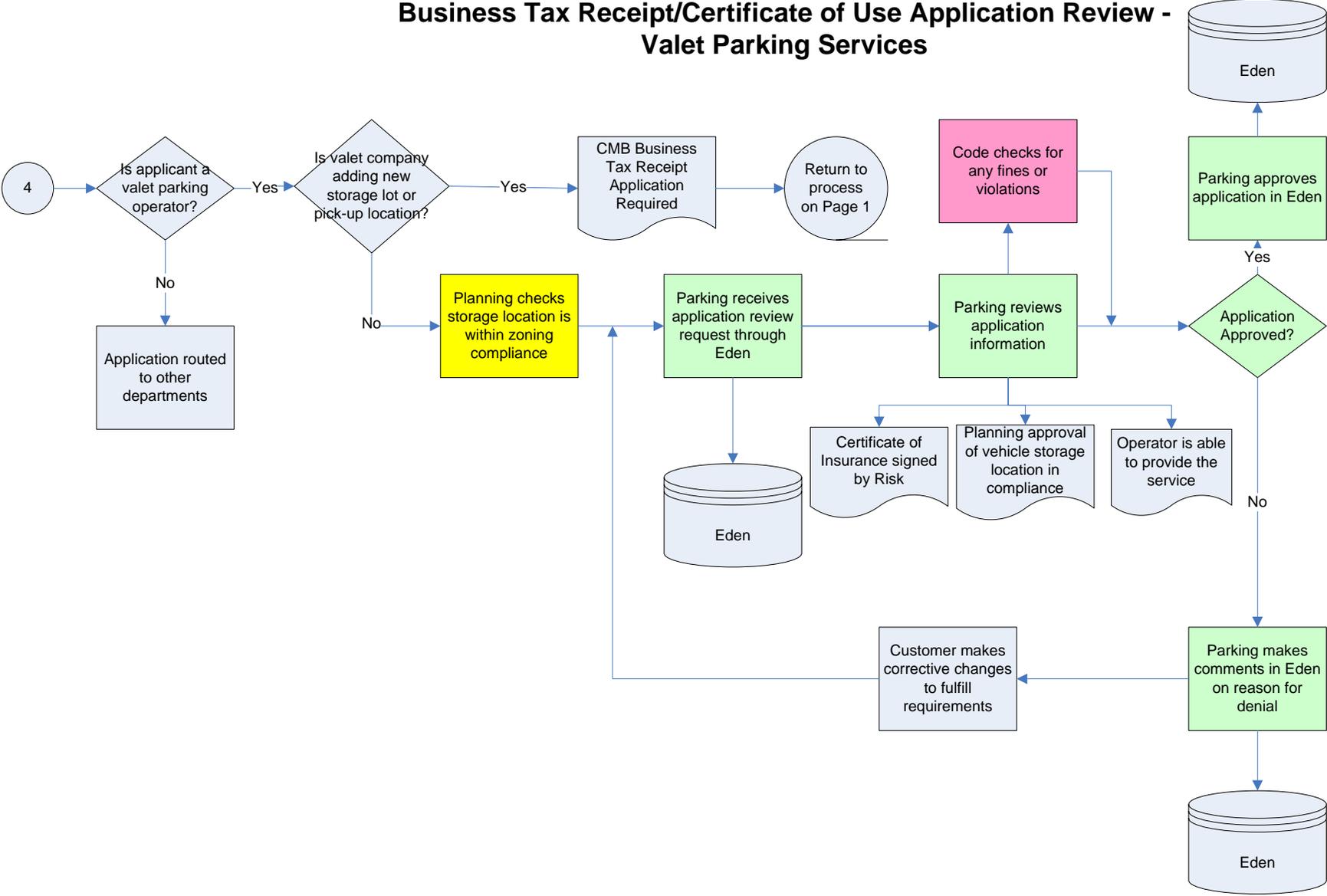
## Business Tax Receipt/Certificate of Use Application Review - Code Compliance



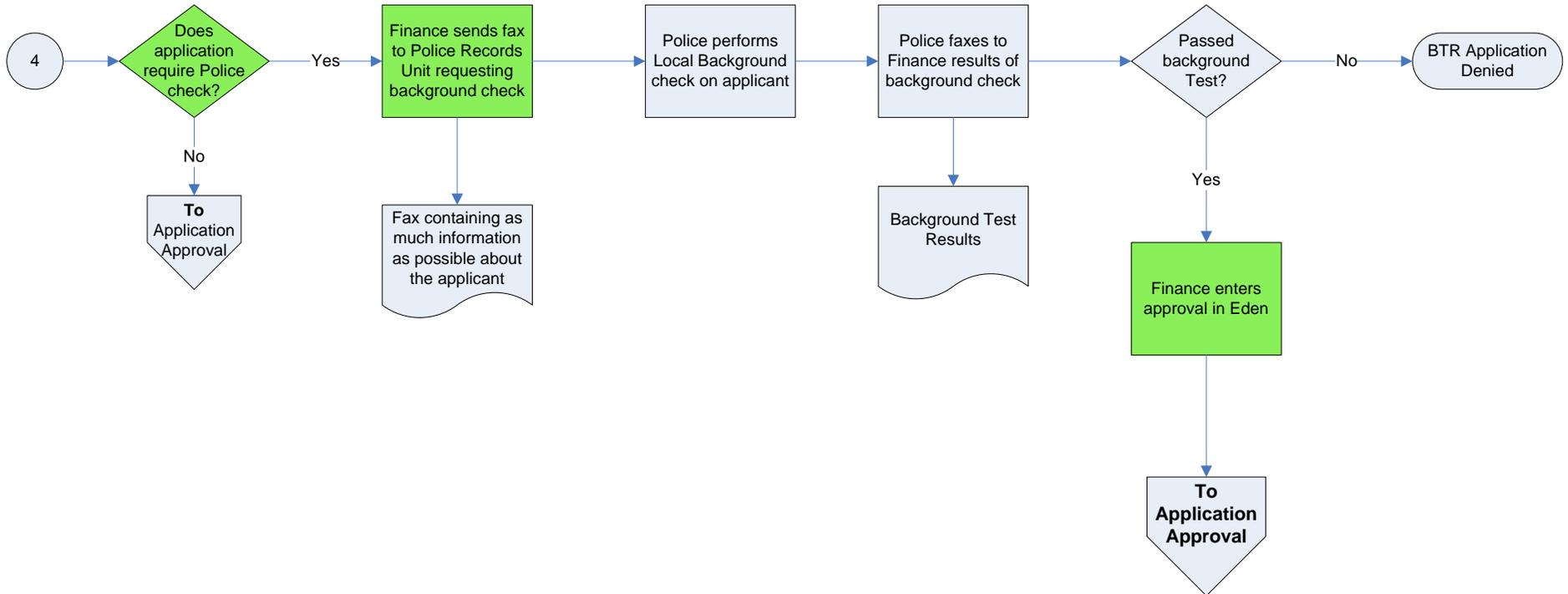
# Business Tax Receipt/Certificate of Use Application Review - Parking Lots/Garages



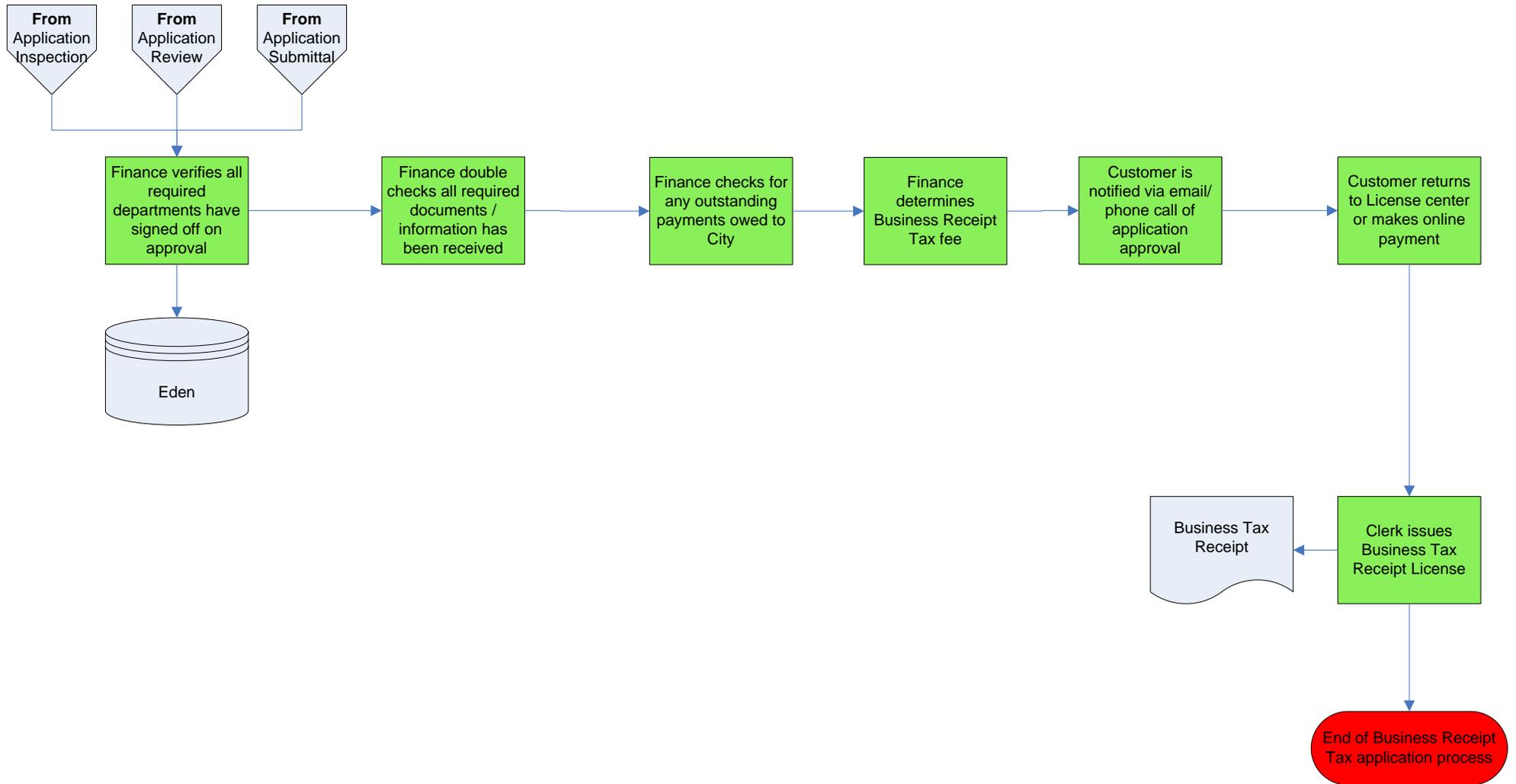
# Business Tax Receipt/Certificate of Use Application Review - Valet Parking Services



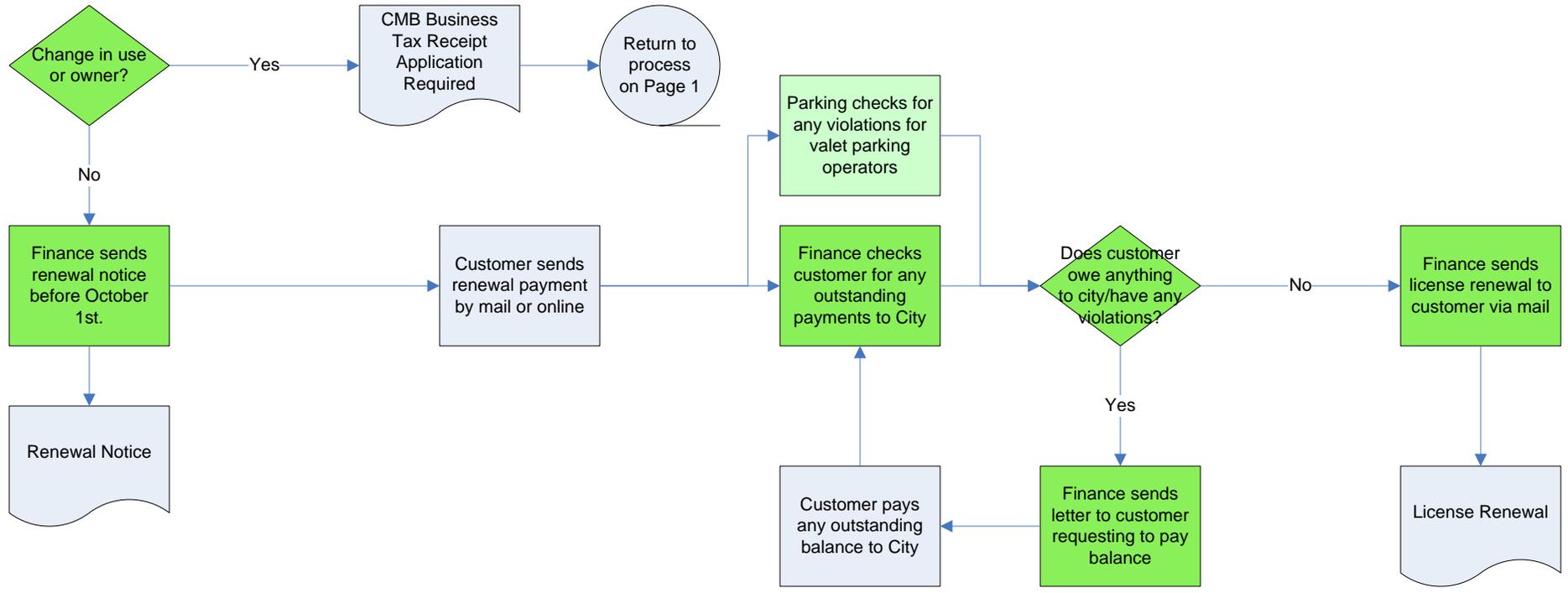
# Business Tax Receipt/Certificate of Use Application Review/Inspection Police Department



# Business Tax Receipt/Certificate of Use Application Return / Approval



# Business Tax Receipt/Certificate of Use Renewal Process



**ATTACHMENT III:  
SUBMITTAL REQUIREMENTS**

**City of Miami Beach**  
**Local Business Tax Receipt Codes &**  
**Schedule of Fees for FY 2009**

Occupational codes appear in alphabetic order:

Routing Queues												
Occup Code	Title Description	2007/08 RATE	Finance	Planning	Building	Fire	Public Works	Risk	Code	Parking	Police	Asset Mngt.
95000200	Accountant, Auditor (Office)	221.00	x	x	x	x						
95000200	Accountant, Auditor	221.00	x									
95000300	Acupuncturist (Office)	191.00	x	x	x	x						
95000300	Acupuncturist	191.00	x									
95000400	H.R.S. Adult Living Facility or (ACLF) - 1. first 10 beds	174.00	x	x	x	x						
	H.R.S. Adult Living Facility or (ACLF) - 1. each additional bed	6.00	x	x	x	x						
95000500	Advertising (Office)	191.00	x	x	x	x						
95901000	Adult Entertainment Establishments (must be 300ft. From School or Religious Instl.)	5,513.00	x	x	x	x						
95000601	Agents, Broker, Dealers & all others: - 1. ea. Firm	191.00	x	x	x	x						
	Agents, Broker, Dealers & all others: - 2. ea. individual as salesman	82.00	x									
95000600	Agents, Broker, Dealers & all others: - 3. ea. individual as broker	191.00	x									
95000604	Agents, Broker, Dealers & all others: - 4. business broker	191.00	x									
95004601	Agents, Broker, Dealers & all others: - 5. business consultant	221.00	x									
95000700	Alcohol Beverage: 1. open after midnight closing		x	x	x	x						
	Alcohol Beverage: no later 2:00 A.M.	1,088.00	x	x	x	x						
95000701	Alcohol Beverage: 2. open after 2:00 A.M. closing		x	x	x	x						
	Alcohol Beverage: no later 5:00 A.M.	3,617.00	x	x	x	x						
	<b>All Other Businesses not specifically named</b>		x	x	x	x						
	<b>1. General Business/Office Uses</b>		x	x	x	x						
	<b>2. Heavy/Industrial</b>		x	x	x	x						
95000550	Alterations, Tailor	168.00	x	x	x							
95000551	Alterations in another shop	82.00	x	x	x	x						
95000800	Antique Dealer	435.00	x	x	x	x						
	Apartment Buildings (Rental) not including kitchen & bathroom): (smoke detector)		x	x	x	x						
95700000	1. 4 units or less (enter total units)	no fee	x	x	x	x						
95000900	2. from 1-15 rooms	64.00	x	x	x	x						
"	3. ea. additional room	6.00	x	x	x	x						
95009502	4. ea. hotel room	16.00	x	x	x	x						
95700010	5. 5 or more units (enter total units)	no fee	x	x	x	x						
95001000	Appraiser	191.00	x	x	x							
95001100	Arcade	191.00	x	x	x	x						
95011801	ea. coin machine (game, jute box)	87.00	x	x								
95001200	Architect (Office)	221.00	x	x	x	x						
	Architect	221.00	x									
95001300	Armored Car Service	221.00	x	x	x	x						
95001400	Arms, Ammo, pistols, knives, etc.		x	x	x	x					x	
	1. dealer in connection	435.00	x	x	x	x					x	
	2. ea. employee	75.00	x									
95001401	3. starting, tear gas, & b.b. guns	435.00	x	x	x	x					x	
95001500	Artists	87.00	x	x	x							
95001600	Attorneys (Office)	221.00	x	x	x	x						
	Attorneys	221.00	x									
95001650	Auction business	3,617.00	x	x	x	x						
95003602	Auto. teller machines (off premises)	191.00	x	x	x	x						
	Automobile / Truck:		x	x	x	x						
95008302	1. body shop, garage, storage	284.00	x	x	x	x						

**City of Miami Beach**  
**Local Business Tax Receipt Codes &**  
**Schedule of Fees for FY 2009**

Occupational codes appear in alphabetic order:

Routing Queues												
Occup Code	Title Description	2007/08 RATE	Finance	Planning	Building	Fire	Public Works	Risk	Code	Parking	Police	Asset Mngt.
9500630	2. broker	191.00	x	x	x	x						
95001704	3. dealer (new)	382.00	x	x	x	x						
95008303	6. painting	330.00	x	x	x	x						
95001707	7. parking garage	221.00	x	x	x	x						
95001701	8. rental agency	1,361.00	x	x	x	x						
95001703	9. sub rental agency (no car)	435.00	x	x	x	x						
95001900	10. shipper	435.00	x	x	x	x						
95008305	11. wash & detailing	255.00	x	x	x	x						
95008307	12. wash & detailing @ gas station	191.00	x	x	x	x						
	Automobile for hire, Limousines, except sightseeing buses):		x	x	x	x		x				
95001708	1.ea. Automobile	301.00	x	x	x	x		x				
95001709	2.ea. Private or nursery bus	191.00	x	x	x	x		x				
95001705	3. limousine service	260.00	x	x	x	x		x				
95001706	4. ea. limousine	82.00	x	x	x	x		x				
95002000	Baggage & Transfer, Mover	272.00	x	x	x	x						
95002100	Bail bonds	191.00	x	x	x	x						
95002200	Bakery, Wholesale (note: retail sales req. sep. business tax cert.)		x	x	x	x						
	(with 5 employees or less)	105.00	x	x	x	x						
	(with 6-25 employees)	232.00	x	x	x	x						
	(with more than 25 employees)	284.00	x	x	x	x						
95002400	Barber Shop (with 1-5 chairs)	191.00	x	x	x	x						
	(with 6-10 chairs)	237.00	x	x	x	x						
	(with 11-15 chairs)	290.00	x	x	x	x						
	(each chair over 15)	23.00	x	x	x	x						
95002401	Barber	23.00	x									
95000665	Bath Clubs, Social Clubs	191.00	x	x	x	x						
	Beach Front Concession (addition to existing BTR)		x	x								x
02002600	Upland Fee (max.of \$10,000)	17.00	x	x				x				
95002601	1. per equip. activity/location	634.00	x	x				x				
95002600	2. food	634.00	x	x				x				
95002605	3. drinks only (with food license.)	no fee	x	x				x				
95002602	4. water-sports	634.00	x	x				x				
95002603	5. beach sundries	634.00	x	x				x				
95002700	Beauty Parlors, Hairdressing, Facial, Massage, Manicure, Cosmetology, Etc.		x	x	x	x						
	(with 1-5 chairs)	191.00	x	x	x	x						
	(with 6-10 chairs)	237.00	x	x	x	x						
	(with 11-15 chairs)	290.00	x	x	x	x						
	(each chair over 15)	23.00	x	x	x	x						
95002701	Beautician (Cosmetician)	23.00	x									
95002750	Bed & Breakfast Inn. (smoke detector)		x	x	x	x						
	1. from 1-15 rooms	174.00	x	x	x	x						
	2. ea. additional room	16.00	x	x	x	x						
95012300	Beeper Service	191.00	x	x	x	x						
95002800	Bicycle, rent, & repair (note: retail sales need sep. merchant Busi. Tax. Cert.)	191.00	x	x	x	x		x				
95002900	Billiard, Pool tables (each table)	105.00	x	x	x	x						
95003100	Boardinghouse: 1. from 1-15 rooms	162.00	x	x	x	x						

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Occupational codes appear in alphabetic order:

Routing Queues												
Occup Code	Title Description	2007/08 RATE	Finance	Planning	Building	Fire	Public Works	Risk	Code	Parking	Police	Asset Mngt.
	Boardinghouse: 2. ea. additional room	13.00	x	x	x	x						
	Boat, Ship, Surfboard: (special alp.)		x	x	x	x						
95003407	1. boat slips	64.00	x	x	x	x						
95003402	2. commercial passenger (per boat)	82.00	x	x	x	x		x				
95003406	3. commercial docks	116.00	x	x	x	x						
95003403	4. charter (per boat)	82.00	x	x	x	x		x				
95003410	5. dealer (new)	382.00	x	x	x	x						
95000603	6. dealer broker (used)	330.00	x	x	x	x						
95003408	7. docks (per linear foot)	5.00	x	x	x	x						
95003416	8. ferry terminal	579.00	x	x	x	x		x				
95009550	9. housebarges	197.00	x	x	x	x						
95003200	10. livery (1-8 boats)	330.00	x	x	x	x		x				
	ea. additional 5 boats or fraction	64.00	x	x	x	x						
99003417	11. rental access. to hotel (1-8 units)	255.00	x	x	x	x						
	ea. additional 5 boats or fraction	64.00	x	x	x	x						
95003412	12. repair, yard, and ways	435.00	x	x	x	x						
95003401	13. sightseeing, excursion	545.00	x	x	x	x		x				
95003418	14. storage basins and sheds	545.00	x	x	x	x						
95003404	15. towing and lightening	191.00	x	x	x	x						
95003415	16. water taxi (1-3 boats)	290.00	x	x	x	x		x				
	(ea. additional boat)	116.00	x	x	x	x						
95003550	Bowling, or Box Ball (per alley)	64.00	x	x	x	x						
95003600	Bldg. & Loan, Financial institutions	654.00	x	x	x	x						
95019401	Burlesque Theater	1,088.00	x	x	x	x						
95003700	Cabanas (ea.)	13.00	x	x	x	x						
95003800	Cardroom	1,667.00	x	x	x	x						
95003900	Carpet, Rug Cleaning	221.00	x	x	x	x						
95000659	Casting office, Talent	191.00	x	x	x	x						
95004100	Caterers	272.00	x	x	x	x						
95004101	Caterers Construction, Mobile	295.00	x	x	x							
95004200	Check Cashing	191.00	x	x	x	x						
00015703	Child Care Center (fee capt by state)	56.00	x	x	x	x						
95004500	Chiropractor (Office)	221.00	x	x	x	x						
	Chiropractor	221.00	x									
95004700	Clerical office	191.00	x	x	x	x						
95004800	Clinic, Medical, Dental	290.00	x	x	x	x						
95004900	Closing-out Sale (30 days)	695.00	x	x	x							
95004901	(additional 15 day periods)	435.00	x	x	x							
95005000	Coin dealer	191.00	x	x	x							
95011305	Coin Equipment Distributor	255.00	x	x	x	x						
95005101	(1 cent - 25 cents machines) ea.	23.00	x									
95005102	(25 cents and over machines) ea.	36.00	x									
95005100	Coin Vending Distributor	255.00	x	x	x	x						
95005200	Collection Agency	191.00	x	x	x	x						
95004602	Computer Consultant	221.00	x	x	x							
95004603	Construction Consultant	221.00	x	x	x							

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95004600	Consultant, Advisor, & Practitioners	221.00	x	x	x							
95004601	Consultant, Business	221.00	x	x	x	x						
95004607	Consultant, Management	221.00	x	x	x	x						
95800000	Condo (no state license. required)	no fee	x	x	x	x						
95400000	Conditional Use	no fee	x	x	x							
95005300	Convention Service Bureau	191.00	x	x	x	x						
95004604	Cosmetic Consultant	221.00	x	x	x							
95019802	Counselor, Marriage	221.00	x	x	x							
95005500	Court Reporter	191.00	x	x	x							
95000627	Currency exchange	191.00	x	x	x	x						
95005800	Dance Hall/Entertainment w/o Alcohol	1,088.00	x	x	x	x			x			
95005805	Dance Hall/Entertainment w/ Alcohol	191.00	x	x	x	x			x			
03005825	Night Clubs (>200 Occ. Load @\$3/load)	3.00	x	x	x	x						
95015701	Day Care Center., Nursery School HRS	272.00	x	x	x	x						
	Dealers (pre-owned, Secondhand):		x	x	x	x						
95017000	1. goods other than wearing apparel	330.00	x	x	x	x						
95017001	2. wearing apparel	371.00	x	x	x	x						
95005910	Dental Hygienists	191.00	x									
95005900	Dentist (Office)	221.00	x	x	x	x						
	Dentist		x									
95000675	Designer	221.00	x	x	x							
95006100	Dietician (Office)	221.00	x	x	x	x						
	Dietician		x									
95006200	Doctors, Physicians (Office)	221.00	x	x	x	x						
95000615	1. hearing aid broker	191.00	x	x	x	x						
95006201	2. hearing aid specialist	221.00	x	x	x	x						
95019801	3. occupational therapist	221.00	x	x	x	x						
95017601	4. mental health counselor	221.00	x	x	x	x						
	Doctors, Physicians		x									
95006300	Doctors, Hospital Staff	116.00	x									
95006400	Doctors, Physician's Assistant	64.00	x									
95006500	Dog Grooming, Animal Clinic	221.00	x	x	x	x						
95006600	Electric Light Co.	9,157.00	x	x	x	x						
95006700	Electrologists	221.00	x	x	x							
95006800	Employment Agency	191.00	x	x	x	x						
95006900	Engineers (Office)	221.00	x	x	x	x						
	Engineers		x									
95240029	Entertainment Establishment without Dance Hall	191.00	x	x	x	x			x			
95007100	Equipment Rental	191.00	x	x	x	x						
9500710	1. respiratory equipment	191.00	x	x	x	x						
95006801	Escort Service	191.00	x	x	x	x						
	Express Mail Service:		x	x	x	x						
	1. p o box, package sending,		x	x	x	x						
	copy, fax, money order, office		x	x	x	x						
	supplies, stamps, money wire		x	x	x	x						
95007250	agent, notary, & passport photos	382.00	x	x	x	x						
	2. all of the category 1		x	x	x	x						

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95007251	plus answering service(5 phones)	440.00	x	x	x	x						
	(ea. additional phone)	24.00	x									
95004606	Fashion Consultant	221.00	x	x	x							
95018701	Fax Service:	221.00	x	x	x	x						
95018702	accessory to main occupation	64.00	x	x	x	x						
95003600	Financial Institutions (Banks, etc.)	654.00	x	x	x	x						
95012302	Finger Printing (Misc. General)	191.00	x	x	x	x						
95007400	Fire Prevention Service	191.00	x	x	x	x						
95007500	Florist	221.00	x	x	x	x						
95007600	Flower Stand( Add Code for inside only)	168.00	x	x	x							
	Food Sales (retail inventory)		x	x	x	x						
95007700	1. 1st., 1,000 of valued or less	226.00	x	x	x	x						
95007701	2. ea. 1,000-89,999 of value	23.00	x	x	x	x						
	3. from 90,000-199,999 of value	2,315.00	x	x	x	x						
	4. from 200,000-499,999 of value	3,473.00	x	x	x	x						
	5. from 500,000 and over	4,631.00	x	x	x	x						
95007104	Formal Rental	191.00	x	x	x	x						
95007900	Fortune Tellers (no felony)	1,811.00	x	x	x	x					x	
95007950	1. as an accessory	435.00	x	x	x	x					x	
95008000	Fruit Shipper	284.00	x	x	x	x						
95008002	Fruit Shipper (as an accessory)	64.00	x	x	x	x						
	Fuel Dealers, Bottled Gas, etc:		x	x	x	x						
95008100	1. fuel oil dealer	330.00	x	x	x	x						
95008101	2. fuel bottled gas dealer	162.00	x	x	x	x						
95008120	3. wood yard dealer	128.00	x	x	x	x						
95008200	Funeral Home	677.00	x	x	x	x						
95008001	Gallery ,Art	348.00	x	x	x	x						
	Garbage, Waste Contractor:		x	x	x	x		x				
95008404	1. bio-hazardous	545.00	x	x	x	x		x				
95008401	2. franchise (registered & Approved)	545.00	x	x	x	x		x				
95008403	3. hazardous	545.00	x	x	x	x		x				
95008402	4. recycling (DERM permit)	545.00	x	x	x	x		x				
95008400	5. roll-off	545.00	x	x	x	x		x				
95008500	Gas Companies	9,157.00	x	x	x	x						
95008550	Gasoline Wholesale Dealer	2,714.00	x	x	x	x						
95008600	1. oil diesel (exceeds 15,000)	637.00	x	x	x	x						
	General Merchandise Retail Sales:		x	x	x	x						
95012300	1. general business (beepers)	191.00	x	x	x	x						
95012302	2. general business (fingerprinting)	191.00	x	x	x	x						
	Merchants Sales (based on cost of inventory value):		x	x	x	x						
95012065	3. 1st., 1,000 of valued or less	232.00	x	x	x	x						
95012065	4. ea. 1,000-99,999 or fraction.	19.00	x	x	x	x						
95012066	5. from 100,000-199,999 of value	2,315.00	x	x	x	x						
95012066	6. from 200,000-499,999 of value	3,473.00	x	x	x	x						
95012066	7. from 500,000 and over	4,631.00	x	x	x	x						
95008802	Golf Driving Courses	116.00	x	x	x	x						

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95008801	Golf Miniature Courses	260.00	x	x	x	x						
95008800	Golf Pro	191.00	x	x	x	x						
95006150	Guard, Watchman, Security,Patrol Agency	221.00	x	x	x	x						
95021500	Hall for Hire	128.00	x	x	x	x						
95006255	Healers	545.00	x	x	x							
95009100	Health Club ( dept. agri. & consumer.)	191.00	x	x	x	x						
95009200	Health Maintenance Plan	191.00	x	x	x	x						
95000619	Home Base Business (plus other Occ.)	28.00	x	x	x	x						
95000618	Home Health Agency (HRS)	191.00	x	x	x	x						
95006200	Homeopathic Physicians	221.00	x	x	x							
95009500	Hotel (smoke detector) first 15 rooms	232.00	x	x	x	x						
95009503	1. hotel rooms with kitchens	232.00	x	x	x	x						
	2. ea. additional room	16.00	x	x	x	x						
95000901	3. apartment rooms	6.00	x	x	x	x						
95018550	4. swimming pool	221.00	x	x	x	x						
95009600	Hypnotist, Hypnotherapist (Office)	191.00	x	x	x	x						
	Hypnotist, Hypnotherapist		x									
95009700	Immigration Service	191.00	x	x	x	x						
95009800	Import & Export Dealer	191.00	x	x	x	x						
95009900	Income Tax Service	191.00	x	x	x							
95500000	Inside Only	no fee	x	x	x	x						
95010000	Installers Floor Covering, Carpet	191.00	x	x	x	x						
	Insurance (underwriting Co.):		x	x	x	x						
95010200	1. adjuster	191.00	x	x	x	x						
95000606	2. agency	191.00	x	x	x	x						
95000649	3. insurance broker	191.00	x	x	x	x						
95010100	4. casualty/liability	278.00	x	x	x	x						
95010105	5. company	278.00	x	x	x	x						
95010101	6. fire	278.00	x	x	x	x						
95010102	7. industrial	278.00	x	x	x	x						
95010103	8. life	278.00	x	x	x	x						
95000651	9. insurance salesman	82.00	x	x	x	x						
95010300	Interior Decorators	221.00	x	x	x							
95010301	Interior Designers	221.00	x	x	x							
95010400	Investment Counselor	191.00	x	x	x							
95010500	Janitorial, & Maid Service	221.00	x	x	x	x						
	Jewelers (based on inventory value):		x	x	x	x						
95010600	1. 1st 1,000 of valued or less	232.00	x	x	x	x						
95010600	2. ea.1,000-99,999 or fraction	19.00	x	x	x	x						
95010601	3. from 100,000-199,999 of value	2,315.00	x	x	x	x						
95010601	4. from 200,000-499,999 of value	3,473.00	x	x	x	x						
95010601	5. from 500,000 and over	4,631.00	x	x	x	x						
95010700	Key machines	28.00	x	x	x							
95010900	Laboratory (chemical, dental, optical, x-ray, etc.)	255.00	x	x	x	x						
95010901	Laboratory Technicians	221.00	x	x	x	x						
95011000	Land Development Companies	1,175.00	x	x	x	x						

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95011100	Landscape Architects, Cont., Nursery	221.00	x	x	x	x						
95011200	Landscape Maintenance	51.00	x	x	x	x						
95015601	Laser Photo Printing Service	174.00	x	x	x	x						
95011302	Laundry Dry Cleaners	330.00	x	x	x	x						
95011303	Laundry Dry Cleaners (remote location)	105.00	x	x	x	x						
95011304	Laundry (coin operate)	221.00	x	x	x	x						
95011307	(ea. machine)	6.00	x	x	x	x						
95011305	Laundry (coin equipment distributor)	255.00	x	x	x	x						
95011307	(ea. machine)	6.00	x									
04007701	Liquor Sales		x	x	x	x						
	1. 1st. 1,000 of valued or less	226.00	x	x	x	x						
	2. ea. 1,000-89,999 of value	23.00	x	x	x	x						
	3. from 90,000-199,999 of value	2,315.00	x	x	x	x						
	4. from 200,000-499,999 of value	3,473.00	x	x	x	x						
	5. from 500,000 and over	4,631.00	x	x	x	x						
95011400	Locksmith	221.00	x	x	x	x						
95004705	Mail Order Business (\$5,000 bond )	191.00	x	x	x	x						
95011600	Manufacturers	255.00	x	x	x	x						
95011601	Manufacturers Condiments	255.00	x	x	x	x						
95011602	1. ice vehicle	255.00	x	x	x	x						
95011700	Manufacturer Representatives	191.00	x	x	x	x						
95011800	Machine & Game Distributors	695.00	x	x	x	x						
95011802	Machine owned by establishment (ea)	87.00	x	x	x	x						
95011999	Massage Clinic	191.00	x	x	x	x						
95012000	Massage Therapist	41.00	x									
	Merchants Sales (based on cost of inventory value):		x	x	x	x						
95012065	1. 1st 1,000 of valued or less	232.00	x	x	x	x						
95012065	2. ea. 1,000-99,999 or fraction.	19.00	x	x	x	x						
95012066	3. from 100,000-199,999 of value	2,315.00	x	x	x	x						
95012066	4. from 200,000-499,999 of value	3,473.00	x	x	x	x						
95012066	5. from 500,000 and over	4,631.00	x	x	x	x						
95012200	Messenger Service	105.00	x	x	x	x						
95006207	Midwife	221.00	x	x	x							
95000625	Model, Talent Agency	191.00	x	x	x	x						
95012400	Money Broker	191.00	x	x	x	x						
95012500	Money Order Agency	64.00	x	x	x	x						
95012550	Monogram, Silkscreen	191.00	x	x	x	x						
95000610	Mortgage Broker Firms (1 free broker)	191.00	x	x	x	x						
95000610	1. broker (ea. additional broker)	191.00	x									
95000652	2. salesman	82.00	x									
95012800	Motor Scooter Rental Agency (1-20)	330.00	x	x	x	x		x				
95012800	ea. additional vehicle over 20	23.00	x	x	x	x		x				
95012900	Movie Picture Shows (one screen)	1,088.00	x	x	x	x						
95012901	ea. additional screen	116.00	x	x	x	x						
95002702	Nail Salon: 1. (with 1-5 chairs)	191.00	x	x	x	x						
	Nail Salon: 2. (with 6-10 chairs)	237.00	x	x	x	x						

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	Nail Salon: 3. (with 11-15 chairs)	290.00	x	x	x	x						
95002703	Nail Salon: 4. manicurist	23.00	x									
95013200	Newsstand-sidewalk	64.00	x	x	x			x				
95013300	Newspapers or periodicals	174.00	x	x	x							
95013400	Nurses Registered, LPN, ARMP,	191.00	x	x	x							
95006207	1. midwife	221.00	x	x	x							
95013500	Nurses Hospital Staff	64.00	x									
95013600	Nursing Homes & Private Hospital	908.00	x	x	x	x						
95004608	Nutrition Consultant	221.00	x	x	x							
95600000	Occupancy Load	no fee	x	x	x	x						
95013800	Office & (any other not listed)	191.00	x	x	x	x						
95013801	Office (personal)	191.00	x	x	x	x						
95013900	Optician (note: retail sales needs sep. merchant Busi. Tax Cert.)	221.00	x	x	x	x						
	Optician	221.00	x									
95014000	Optometrist (note: retail sales needs sep. merchant busi. Tax. Cert.)	221.00	x	x	x	x						
	Optometrist	221.00	x									
95014200	Osteopath	221.00	x	x	x							
95014350	Paper Hangers	191.00	x	x	x	x						
95014500	Parking Lot:	221.00	x	x	x	x	x			x		
95001707	1. Parking Garage	221.00	x	x	x	x	x					
95014507	2. Under utilized	221.00	x	x	x		x			x		
95014502	3. Provisional	221.00	x	x	x		x			x		
95014506	4. Temporary	221.00	x	x	x		x			x		
95014505	5. Parking valet lot only	221.00	x	x	x		x	x		x		
95014504	6. Self-Parking	221.00	x	x	x		x			x		
99020700	7. Valet Parking (per location, & letter)	255.00	x	x				x	x	x		
	each additional location	128.00	x	x				x	x	x		
95014600	Party Planner	191.00	x	x	x	x						
95014700	Pathologist	221.00	x	x	x							
95017003	Pawnbroker (non-transferable)	908.00	x	x	x	x					x	
95007300	Pest Control	255.00	x	x	x	x						
95004850	Pharmacy (note: retail sales needs sep. Busi. Tax Cert.)	290.00	x	x	x	x						
95015000	Phlebotomist	221.00	x	x	x							
95015100	Photography, Studio, Film Develop.	221.00	x	x	x	x						
95015101	Photography (drop-off develop. only)	128.00	x	x	x	x						
95015601	Photo Laser Printing Service	174.00	x	x	x	x						
95006205	Psychologist (Office)	221.00	x	x	x	x						
	Psychologist	221.00	x									
95015300	Physiotherapist (Office)	221.00	x	x	x	x						
	Physiotherapist	221.00	x									
95015400	Picture Framing	105.00	x	x	x	x						
95015500	Podiatrist (Office)	221.00	x	x	x	x						
	Podiatrist	221.00	x									
95015550	Post Office Box Rental (note: retail sales needs sep. Busi. Tax Cert.)	191.00	x	x	x	x						
N/A	Postage Stamp Sales		x	x	x	x						
	1. stamp machine distributor	191.00	x	x	x	x						

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	2. ea. machine	13.00	x	x	x	x						
95015600	Printing, Copying Service	174.00	x	x	x	x						
95015602	Copying (self) Service accessory	64.00	x	x	x	x						
95006000	Private Investigative Agency	221.00	x	x	x	x						
95015700	Private School (per location)	272.00	x	x	x	x						
95015800	Process Service	191.00	x	x	x	x						
95000657	Production Company	191.00	x	x	x	x						
	Promoter: (\$2,500 bond plus \$7,500 guarantee)		x	x	x	x		x				
95050199	single event/single loc. (<150 occ.)	75.00	x	x	x	x		x				
95050199	single event/single loc. (>150 occ.)	151.00	x	x	x	x		x				
95050200	multiple event/single loc. (<150 occ.)	75.00	x	x	x	x		x				
95050200	multiple event/single loc. (>150 occ.)	151.00	x	x	x	x		x				
95050201	multiple event/multiple loc. (<150 occ.)	191.00	x	x	x	x		x				
95050201	multiple event/multiple loc. (>150 occ.)	382.00	x	x	x	x		x				
95006265	Professional Association, Corporation.	221.00	x	x	x	x						
95015900	Property Management	221.00	x	x	x	x						
95016000	Public Relations	191.00	x	x	x	x						
95016100	Publisher	191.00	x	x	x	x						
95000670	Real Estate Brokerage Firm, Corp.	191.00	x	x	x	x						
95000607	1. ea. broker with firm	191.00	x									
95000652	2. ea. salesman with firm	82.00	x									
95016300	Repair Shop (Appliance, mowers, etc.	221.00	x	x	x	x						
95004703	Reservation Office	191.00	x	x	x	x						
95016400	Restaurant (add occupancy code load)	174.00	x	x	x	x						
95016400	Restaurant & Bars	174.00	x	x	x	x						
04016400	Bars	174.00	x	x	x	x						
	1. per chair (from 1-50)	7.00	x	x	x	x						
	2. per chair (from 51 and up)	8.00	x	x	x	x						
95016401	3. sidewalk area sq. ft.)	16.00	x	x	x	x		x	x	x		
95000702	4. (no sale of alcoholic beverage. for	no fee	x	x	x	x						
95000703	5. on premises consumption)	no fee	x	x	x	x						
03005825	6. Night Clubs (>200 Occ. Load @\$3/load)	3.00	x	x	x	x						
95016650	Rink, Skating, Bike (need commission approval)	128.00	x	x	x	x						
95016600	Rooming House (smoke detector): 1-20 rooms	162.00	x	x	x	x						
	Rooming House (smoke detector): ea. room over 20	6.00	x	x	x	x						
95016750	Sail Maker	191.00	x	x	x	x						
95016800	Sales Office	255.00	x	x	x	x						
95013600	Sanitarium, Nursing Homes, Hospital	908.00	x	x	x	x						
95017000	Second Hand Dealers: 1. goods other than wearing apparel	330.00	x	x	x	x					x	
95017001	Second Hand Dealers: 2. wearing apparel	371.00	x	x	x	x					x	
95017002	Second Hand Dealers: 3. cars	330.00	x	x	x	x					x	
95000603	Second Hand Dealers: 4. boat broker	330.00	x	x	x	x					x	
95017100	Service Station (one pump)	128.00	x	x	x	x						
	1. ea. additional pump	51.00	x	x	x	x						
95017200	Shoe Repairing	168.00	x	x	x	x						
95017400	Sightseeing Buses (each bus)	545.00	x	x	x	x		x				

**City of Miami Beach**  
**Local Business Tax Receipt Codes &**  
**Schedule of Fees for FY 2009**

Occupational codes appear in alphabetic order:

Routing Queues												
Occup Code	Title Description	2007/08 RATE	Finance	Planning	Building	Fire	Public Works	Risk	Code	Parking	Police	Asset Mngt.
95017500	Sign Writers	221.00	x	x	x	x						
95017600	Sociologist, or Marriage Counselor	221.00	x	x	x							
95006209	Social Worker (LCSW)	221.00	x	x	x							
95017700	Soda, Ice Cream, Yogurt (only)	128.00	x	x	x	x						
95017800	Solarium	221.00	x	x	x	x						
95017900	Sound Recording Operator	191.00	x	x	x	x						
95017905	Sound Recording Studio	330.00	x	x	x	x						
95018300	Stock Brokers (full service)	1,361.00	x	x	x	x						
	1. employing (1-5)	110.00	x	x	x	x						
	2. employing (6-15)	221.00	x	x	x	x						
	3. employing (16-20)	330.00	x	x	x	x						
9500621	4. contact stock broker	191.00	x	x	x	x						
95018305	5. stock broker salesman (ea.)	82.00	x									
95021101	Storage Yard	330.00	x	x	x	x						
95018550	Swimming Pool	221.00	x	x	x	x						
95018400	Tailor	168.00	x	x	x	x						
95018405	Tailor as an accessory	82.00	x	x	x							
9500659	Talent Agency	191.00	x	x	x	x						
95006251	Tattoo Establishment (needs doctor)	221.00	x	x	x	x						
95006250	Tattoo Artist (each) & Body peircing	221.00	x									
95018500	Tag Collection Agency (tags, drivers lic.) 1	221.00	x	x	x	x						
95018510	1. as an accessory	82.00	x	x	x	x						
95000201	Tax Service	221.00	x	x	x	x						
95018700	Telegraph Companies, Money Wire	191.00	x	x	x	x						
95019000	Telephone Sales Office	191.00	x	x	x	x						
95019100	Television Rental	191.00	x	x	x	x						
95019500	Tennis Court	191.00	x	x	x	x						
95019300	Tennis Pro	191.00	x	x	x							
95012902	Theaters live shows (0-49 seats)	522.00	x	x	x	x						
	(50 seats and over)	1,088.00	x	x	x	x						
N/A	Theatrical Performance (Charity)	exempt	x	x	x	x						
9500614	Theatrical Agency	191.00	x	x	x	x						
9500616	Theatrical Producer	191.00	x	x	x	x						
95006203	Therapist	221.00	x	x	x							
95019900	Ticket Office	191.00	x	x	x	x						
95020000	Towel & Linen Supply Service	221.00	x	x	x	x						
95020100	Tow Truck, Wrecker (each truck)	174.00	x	x	x	x						
95020201	Transportation Service	221.00	x	x	x	x		x				
95020200	Transportation Public (ea. vehicle)	174.00	x	x	x	x		x				
95020300	Travel Bureau (needs state Cert. every yr.) 165.00	191.00	x	x	x	x						
95020302	Tour Agency (needs state Cert. every yr.) 165.00	191.00	x	x	x	x						
95020301	Tour Operator	191.00	x	x	x							
95020304	Tour Service & Infor. (sold elsewhere)	191.00	x	x	x	x						
95015702	Tutorial Service	272.00	x	x	x	x						
95020400	Typing, Wordprocessing, etc.	191.00	x	x	x	x						
95020410	1. agency (done off premises)	64.00	x	x	x	x						

**City of Miami Beach**  
**Local Business Tax Receipt Codes &**  
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**Occupational codes appear in alphabetic order:**

		Routing Queues										
Occup Code	Title Description	2007/08 RATE	Finance	Planning	Building	Fire	Public Works	Risk	Code	Parking	Police	Asset Mngt.
95006275	Ultra-sound Technician	221.00	x	x	x							
99020700	Valet Parking (per location, & letter)	255.00	x	x	x			x	x			
	plus each additional location	128.00	x	x	x			x	x			
95300000	Variance Number	no fee	x	x	x	x						
95020800	Veterinarian or Veterinary Surgeon	221.00	x	x	x							
95021000	Video Tape Rental (each location)	232.00	x	x	x	x						
95021005	Video Tape Rental (accessory)	64.00	x	x	x							
95021100	Warehouse	330.00	x	x	x	x						
95021200	Wholesale Dealer	330.00	x	x	x	x						
95021300	Window Cleaner & Janitor Service	221.00	x	x	x	x		x				
95021400	Wrecker/Towing Service	191.00	x	x	x	x		x				
95021401	Wrecker/Immobilization Service	191.00	x	x	x	x		x				
95020100	1. tow truck, wrecker (each truck)	174.00	x					x				

**City of Miami Beach  
Local Business Tax Receipt  
Submittal Requirements**

**Occupational codes appear in alphabetic order:**

Occup Code	Title Description	Requirements for ALL Applicants			Requirements for Specific Entities											Requirements from Other Departments		Other
		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance	
95000200	Accountant, Auditor (Office)	x	x	x	x													
95000200	Accountant, Auditor	x	x	x		x												
95000300	Acupuncturist (Office)	x	x	x	x													
95000300	Acupuncturist	x	x	x														
95000400	H.R.S. Adult Living Facility or (ACLF) - 1. first 10 beds	x	x	x	x													
	H.R.S. Adult Living Facility or (ACLF) - 1. each additional bec	x	x	x	x													
95000500	Advertising (Office)	x	x	x	x													
95901000	Adult Entertainment Establishments <small>(must be 300ft. From School or Religious Inst.)</small>	x	x	x	x													
95000601	Agents, Broker, Dealers & all others: - 1. ea. Firm	x	x	x	x													
	Agents, Broker, Dealers & all others: - 2. ea. individual as salesmar	x	x	x														
95000600	Agents, Broker, Dealers & all others: - 3. ea. individual as broke	x	x	x														
95000604	Agents, Broker, Dealers & all others: - 4. business broke	x	x	x														
95004601	Agents, Broker, Dealers & all others: - 5. business consultan	x	x	x														
95000700	Alcohol Beverage: 1. open after midnight closing	x	x	x	x	x	x	x	x									Not serving to minors compliance form
	Alcohol Beverage: no later 2:00 A.M.	x	x	x	x	x	x	x	x									Not serving to minors compliance form
95000701	Alcohol Beverage: 2. open after 2:00 A.M. closing	x	x	x	x	x	x	x	x									Not serving to minors compliance form
	Alcohol Beverage: no later 5:00 A.M.	x	x	x	x	x	x	x	x									Not serving to minors compliance form
	<b>All Other Businesses not specifically named</b>	x	x	x														
	<b>1. General Business/Office Uses</b>	x	x	x	x	x												
	<b>2. Heavy/Industrial</b>	x	x	x	x	x												

**City of Miami Beach  
Local Business Tax Receipt  
Submittal Requirements**

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95000550	Alterations, Tailor	x	x	x														
95000551	Alterations in another shop	x	x	x														
95000800	Antique Dealer	x	x	x														
	Apartment Buildings (Rental) not including kitchen & bathroom): (smoke detector)	x	x	x	x	x	x									x		
95700000	1. 4 units or less (enter total units	x	x	x	x	x	x									x		
95000900	2. from 1-15 rooms	x	x	x	x	x	x	x								x		
"	3. ea. additional room	x	x	x	x	x	x									x		
95009502	4. ea. hotel room	x	x	x	x	x	x									x		
95700010	5. 5 or more units (enter total units)	x	x	x	x	x	x									x		
95001000	Appraiser	x	x	x														
95001100	Arcade	x	x	x	x													
95011801	ea. coin machine (game, jute box	x	x	x	x													
95001200	Architect (Office)	x	x	x	x													
	Architect	x	x	x														
95001300	Armored Car Service	x	x	x	x	x	x											
95001400	Arms, Ammo, pistols, knives, etc.	x	x	x	x	x	x											
	1. dealer in connection	x	x	x														
	2. ea. employee	x	x	x														
95001401	3. starting, tear gas, & b.b. gun:	x	x	x	x													
95001500	Artists	x	x	x														
95001600	Attorneys (Office)	x	x	x	x	x		x						x				Bar ID Card
	Attorneys	x	x	x														Bar ID Card
95001650	Auction business	x	x	x	x	x	x											
95003602	Auto. teller machines (off premises)	x	x	x	x	x	x											
	Automobile / Truck:	x	x	x	x	x												
95008302	1. body shop, garage, storage	x	x	x	x	x												
95000630	2. broker	x	x	x														
95001704	3. dealer (new)	x	x	x	x	x												
95008303	6. painting	x	x	x	x	x												
95001707	7. parking garage	x	x	x	x	x												

**City of Miami Beach  
Local Business Tax Receipt  
Submittal Requirements**

Occupational codes appear in alphabetic order:

Occup Code	Title Description	Requirements for ALL Applicants			Requirements for Specific Entities										Requirements from Other Departments		Other	
		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency		Certificate of Insurance
95001701	8. rental agency	x	x	x	x	x												
95001703	9. sub rental agency (no car)	x	x	x	x	x												
95001900	10. shipper	x	x	x	x	x						x						
95008305	11. wash & detailing	x	x	x	x	x												
95008307	12. wash & detailing @ gas station	x	x	x	x	x												
	Automobile for hire, Limousines, except sightseeing buses):	x	x	x	x	x												
95001708	1. ea. Automobile	x	x	x	x	x												
95001709	2. ea. Private or nursery bus	x	x	x	x	x												
95001705	3. limousine service	x	x	x	x	x												
95001706	4. ea. limousine	x	x	x	x	x												
95002000	Baggage & Transfer, Mover	x	x	x	x													
95002100	Bail bonds	x	x	x	x	x	x											
																		Articles of Incorporation if applicable, Federal ID Number if applicable, Copy of Fictitious Name Registration if applicable
95002200	Bakery, Wholesale (note: retail sales req. sep. business tax cert.)	x	x	x	x		x	x					x					
	(with 5 employees or less)	x	x	x	x		x	x					x					
	(with 6-25 employees)	x	x	x	x		x	x					x					
	(with more than 25 employees)	x	x	x	x		x	x					x					
95002400	Barber Shop (with 1-5 chairs)	x	x	x	x		x	x										
	(with 6-10 chairs)	x	x	x	x		x	x										
	(with 11-15 chairs)	x	x	x	x		x	x										
	(each chair over 15)	x	x	x	x		x	x										
95002401	Barber	x	x	x														
95000665	Bath Clubs, Social Clubs	x	x	x	x													

**City of Miami Beach  
Local Business Tax Receipt  
Submission Requirements**

Occupational codes appear in alphabetic order:

Occup Code	Title Description	Requirements for ALL Applicants			Requirements for Specific Entities											Requirements from Other Departments		Other
		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance	
	Beach Front Concession (addition to existing BTR)	x	x	x	x													Must contact the Asset Management Division to obtain written approval prior to applying for the Business Tax
02002600	Upland Fee (max.of \$10,000)	x	x	x	x													
95002601	1. per equip. activity/locatior	x	x	x	x													
95002600	2. food	x	x	x	x													
95002605	3. drinks only (with food license.	x	x	x	x													
95002602	4. water-sports	x	x	x	x													
95002603	5. beach sundries	x	x	x	x													
95002700	Beauty Parlors, Hairdressing, Facial, Massage, Manicure, Cosmetology, Etc.	x	x	x	x		x											
	(with 1-5 chairs)	x	x	x	x		x											
	(with 6-10 chairs)	x	x	x	x		x											
	(with 11-15 chairs)	x	x	x	x		x											
	(each chair over 15)	x	x	x	x		x											
95002701	Beautician (Cosmetician)	x	x	x	x		x											
95002750	Bed & Breakfast Inn. (smoke detector)	x	x	x	x		x		x	x								
	1. from 1-15 rooms	x	x	x	x		x		x	x								
	2. ea. additional room	x	x	x	x		x		x	x								
95012300	Beeper Service	x	x	x	x		x											
95002800	Bicycle, rent, & repair (note: retail sales need sep. merchant Busi. Tax. Cert.)	x	x	x	x		x											
95002900	Billiard, Pool tables (each table)	x	x	x	x		x											
95003100	Boardinghouse: 1. from 1-15 rooms	x	x	x	x		x		x	x								
	Boardinghouse: 2. ea. additional roorr	x	x	x	x		x		x	x								
	Boat, Ship, Surfboard: (special alp.)	x	x	x	x		x		x						x		Requires special approval	

**City of Miami Beach  
Local Business Tax Receipt  
Submittal Requirements**

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		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance	Background Check (PD)		
95003407	1. boat slips	x	x	x	x													x	Requires special approval	
95003402	2. commercial passenger (per boat)	x	x	x	x	x												x	Requires special approval	
95003406	3. commercial docks	x	x	x	x	x												x	Requires special approval	
95003403	4. charter (per boat)	x	x	x	x	x												x	Requires special approval	
95003410	5. dealer (new)	x	x	x	x	x												x	Requires special approval	
95000603	6. dealer broker (used)	x	x	x	x	x												x	Requires special approval	
95003408	7. docks (per linear foot)	x	x	x	x	x												x	Requires special approval	
95003416	8. ferry terminal	x	x	x	x	x												x	Requires special approval	
95009550	9. housebarges	x	x	x	x	x												x	Requires special approval	
95003200	10. livery (1-8 boats)	x	x	x	x	x												x	Requires special approval	

**City of Miami Beach  
Local Business Tax Receipt  
Submittal Requirements**

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Occup Code	Title Description	Requirements for ALL Applicants			Requirements for Specific Entities											Requirements from Other Departments		Other
		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance	
	ea. additional 5 boats or fraction	x	x	x	x											x		Requires special approval
99003417	11. rental access. to hotel (1-8 units)	x	x	x	x											x		Requires special approval
	ea. additional 5 boats or fraction	x	x	x	x											x		Requires special approval
95003412	12. repair, yard, and ways	x	x	x	x											x		Requires special approval
95003401	13. sightseeing, excursion	x	x	x	x		x									x		Requires special approval
95003418	14. storage basins and sheds	x	x	x	x											x		Requires special approval
95003404	15. towing and lightening	x	x	x	x											x		Requires special approval
95003415	16. water taxi (1-3 boats)	x	x	x	x			x								x		Requires special approval
	(ea. additional boat)	x	x	x	x											x		
95003550	Bowling, or Box Ball (per alley)	x	x	x	x													
95003600	Bldg. & Loan, Financial institutions	x	x	x	x			x										
95019401	Burlesque Theater	x	x	x	x			x										
95003700	Cabanas (ea.)	x	x	x	x													

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		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance	
95003800	Cardroom	x	x	x	x													
95003900	Carpet, Rug Cleaning	x	x	x	x													
95000659	Casting office, Talent	x	x	x	x													
95004100	Caterers	x	x	x	x		x						x					
95004101	Caterers Construction, Mobile	x	x	x	x		x						x					Mobile Caterer Application
95004200	Check Cashing	x	x	x	x		x											
00015703	Child Care Center (fee capt by state)	x	x	x	x		x											
95004500	Chiropractor (Office)	x	x	x	x		x											
	Chiropractor	x	x	x	x													
95004700	Clerical office	x	x	x	x										x			
95004800	Clinic, Medical, Dental	x	x	x	x													
95004900	Closing-out Sale (30 days)	x	x	x	x													
95004901	(additional 15 day periods)	x	x	x	x													
95005000	Coin dealer	x	x	x	x													
95011305	Coin Equipment Distributor	x	x	x	x													
95005101	(1 cent - 25 cents machines) ea	x	x	x	x													
95005102	(25 cents and over machines) ea.	x	x	x	x													
95005100	Coin Vending Distributor	x	x	x	x													
95005200	Collection Agency	x	x	x	x													
95004602	Computer Consultant	x	x	x														
95004603	Construction Consultant	x	x	x														
95004600	Consultant, Advisor, & Practitioners	x	x	x														
95004601	Consultant, Business	x	x	x														
95004607	Consultant, Management	x	x	x														

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Occup Code	Title Description	Requirements for ALL Applicants			Requirements for Specific Entities											Requirements from Other Departments		Other	
		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance		Background Check (PD)
95800000	Condo (no state license. required)	x	x	x	x														If the Condo rents 3 or more units then the "Condominium Association" is required to fill for another "CU" and Occupational License, if Condo has beachfront concessions, boat slip, dock, etc. then they need to apply for the associated
95400000	Conditional Use	x	x	x	x														
95005300	Convention Service Bureau	x	x	x	x		x												
95004604	Cosmetic Consultant	x	x	x	x														
95019802	Counselor, Marriage	x	x	x															
95005500	Court Reporter	x	x	x															
95000627	Currency exchange	x	x	x	x														
95005800	Dance Hall/Entertainment w/o Alcohol	x	x	x	x	x	x	x											
95005805	Dance Hall/Entertainment w/ Alcohol	x	x	x	x	x	x	x											Not serving to minors compliance form
03005825	Night Clubs (>200 Occ. Load @\$3/load)	x	x	x	x	x													
95015701	Day Care Center., Nursery School HRS	x	x	x	x														
95017000	Dealers (pre-owned, Secondhand):	x	x	x	x														
95017000	1. goods other than wearing apparel	x	x	x	x														
95017001	2. wearing appare	x	x	x	x														

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95005910	Dental Hygienists	x	x	x			x											
95005900	Dentist (Office)	x	x	x	x		x											
	Dentist	x	x	x														
95000675	Designer	x	x	x														
95006100	Dietician (Office)	x	x	x	x		x											
	Dietician	x	x	x														
95006200	Doctors, Physicians (Office)	x	x	x	x	x	x		x					x				
95000615	1. hearing aid brokei	x	x	x	x													
95006201	2. hearing aid specialis	x	x	x	x													
95019801	3. occupational therapisi	x	x	x	x													
95017601	4. mental health counselor	x	x	x	x													
	Doctors, Physicians	x	x	x														
95006300	Doctors, Hospital Staff	x	x	x														
95006400	Doctors, Physician's Assistant	x	x	x														
95006500	Dog Grooming, Animal Clinic	x	x	x	x													
95006600	Electric Light Co.	x	x	x	x													
95006700	Electrologists	x	x	x														
95006800	Employment Agency	x	x	x	x													
95006900	Engineers (Office)	x	x	x	x													
	Engineers	x	x	x														
95240029	Entertainment Establishment without Dance Hall	x	x	x	x													

See "Home Based Business Process" for additional documentation

Must provide \$5,000

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95007100	Equipment Rental	X	X	X	X	X												Articles of Incorporation if applicable, Federal ID Number if applicable, Copy of Fictitious Name Registration if applicable
9500710	1. respiratory equipmen	X	X	X	X													
95006801	Escort Service	X	X	X	X													
	Express Mail Service:	X	X	X	X													
	1. p o box, package sending,	X	X	X	X													
	copy, fax, money order, office	X	X	X	X													
	supplies, stamps, money wire	X	X	X	X													
95007250	agent, notary, & passport photos	X	X	X	X													
	2. all of the category 1	X	X	X	X													
95007251	plus answering service(5 phones)	X	X	X	X													
	(ea. additional phone)	X	X	X	X													
95004606	Fashion Consultant	X	X	X														
95018701	Fax Service:	X	X	X	X													
95018702	accessory to main occupation	X	X	X	X													
95003600	Financial Institutions (Banks, etc.	X	X	X	X			X										
95012302	Finger Printing (Misc. General)	X	X	X	X				X									
95007400	Fire Prevention Service	X	X	X	X				X									
95007500	Florist	X	X	X	X	X												
95007600	Flower Stand( Add Code for inside only)	X	X	X	X													
	Food Sales (retail inventory)	X	X	X	X	X	X	X	X									
95007700	1. 1st.. 1,000 of valued or less	X	X	X	X	X	X	X	X	X								
95007701	2. ea. 1,000-89,999 of value	X	X	X	X	X	X	X	X	X								

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	3. from 90,000-199,999 of value	x	x	x	x	x	x	x										
	4. from 200,000-499,999 of value	x	x	x	x	x	x	x										
	5. from 500,000 and over	x	x	x	x	x	x	x										
95007104	Formal Rental	x	x	x	x													
95007900	Fortune Tellers (no felony)	x	x	x													x	
95007950	1. as an accessory	x	x	x	x													
95008000	Fruit Shipper	x	x	x	x													
95008002	Fruit Shipper (as an accessory)	x	x	x	x													
	Fuel Dealers, Bottled Gas, etc:	x	x	x	x													
95008100	1. fuel oil dealer	x	x	x	x													
95008101	2. fuel bottled gas dealer	x	x	x	x													
95008120	3. wood yard dealer	x	x	x	x													
95008200	Funeral Home	x	x	x	x													
95008001	Gallery ,Art	x	x	x	x													
	Garbage, Waste Contractor:	x	x	x	x											x		DERM permit needed
95008404	1. bio-hazardous	x	x	x	x													
95008401	2. franchise (registered & Approved)	x	x	x	x													
95008403	3. hazardous	x	x	x	x													
95008402	4. recycling (DERM permit)	x	x	x	x													
95008400	5. roll-off	x	x	x	x											x		
95008500	Gas Companies	x	x	x	x													
95008550	Gasoline Wholesale Dealer	x	x	x	x													
95008600	1. oil diesel (exceeds 15,000)	x	x	x	x													
	General Merchandise Retail Sales:	x	x	x	x													
95012300	1. general business (beepers)	x	x	x	x													
95012302	2. general business (fingerprinting)	x	x	x	x													
	Merchants Sales (based on cost of inventory value):	x	x	x	x													
95012065	3. 1st.. 1,000 of valued or less	x	x	x	x													
95012065	4. ea. 1,000-99,999 or fraction.	x	x	x	x													
95012066	5. from 100,000-199,999 of value	x	x	x	x													

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95012066	6. from 200,000-499,999 of value	x	x	x	x													
95012066	7. from 500,000 and over	x	x	x	x													
95008802	Golf Driving Courses	x	x	x	x													
95008801	Golf Miniature Courses	x	x	x	x													
95008800	Golf Pro	x	x	x	x													
95006150	Guard, Watchman, Security,Patrol Agency	x	x	x														
95021500	Hall for Hire	x	x	x	x													
95006255	Healers	x	x	x														
95009100	Health Club ( dept. agri. & consumer.)	x	x	x	x	x	x											
95009200	Health Maintenance Plan	x	x	x	x													
95000619	Home Base Business (plus other Occ.)	x	x	x	x	x									x			
95000618	Home Health Agency (HRS)	x	x	x	x													
95006200	Homeopathic Physicians	x	x	x	x													
95009500	Hotel (smoke detector) first 15 rooms	x	x	x	x	x	x	x	x									
95009503	1. hotel rooms with kitchens	x	x	x	x	x	x	x	x									
	2. ea. additional room	x	x	x	x	x	x	x	x									
95000901	3. apartment rooms	x	x	x	x	x	x	x	x									
95018550	4. swimming poo	x	x	x	x	x	x	x	x									
95009600	Hypnotist, Hypnotherapist (Office)	x	x	x	x													
	Hypnotist, Hypnotherapist	x	x	x														
95009700	Immigration Service	x	x	x	x													

A food permit from FL Dept. of Agriculture is required if club sells pre-packaged food / water, need Department of Consumer Services clearance

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95009800	Import & Export Dealer	x	x	x	x		x											
95009900	Income Tax Service	x	x	x	x		x											
95500000	Inside Only	x	x	x	x													
95010000	Installers Floor Covering, Carpet	x	x	x	x													
	Insurance (underwriting Co.):	x	x	x	x													
95010200	1. adjuster	x	x	x	x		x											
95000606	2. agency	x	x	x	x		x											
95000649	3. insurance broker	x	x	x	x													
95010100	4. casualty/liability	x	x	x	x		x											
95010105	5. company	x	x	x	x		x											
95010101	6. fire	x	x	x	x		x											
95010102	7. industrial	x	x	x	x		x											
95010103	8. life	x	x	x	x		x											
95000651	9. insurance salesman	x	x	x	x		x											
95010300	Interior Decorators	x	x	x														
95010301	Interior Designers	x	x	x														
95010400	Investment Counselor	x	x	x														
95010500	Janitorial, & Maid Service	x	x	x	x							x						
	Jewelers (based on inventory value):	x	x	x	x		x											
95010600	1. 1st 1,000 of value or less	x	x	x	x		x											
95010600	2. ea. 1,000-99,999 or fraction	x	x	x	x		x											
95010601	3. from 100,000-199,999 of value	x	x	x	x		x											
95010601	4. from 200,000-499,999 of value	x	x	x	x		x											
95010601	5. from 500,000 and over	x	x	x	x		x											
95010700	Key machines	x	x	x	x		x											
95010900	Laboratory (chemical, dental, optical, x-ray, etc.	x	x	x	x													
95010901	Laboratory Technicians	x	x	x	x													
95011000	Land Development Companies	x	x	x	x													
95011100	Landscape Architects, Cont., Nursery	x	x	x	x													
95011200	Landscape Maintenance	x	x	x	x													
95015601	Laser Photo Printing Service	x	x	x	x													

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95011302	Laundry Dry Cleaners	x	x	x	x													
95011303	Laundry Dry Cleaners (remote location)	x	x	x	x													
95011304	Laundry (coin operate)	x	x	x	x													
95011307	(ea. machine)	x	x	x	x													
95011305	Laundry (coin equipment distributor)	x	x	x	x													
95011307	(ea. machine)	x	x	x	x													
04007701	Liquor Sales	x	x	x	x													
	1. 1st.. 1,000 of valued or less	x	x	x	x													
	2. ea. 1,000-89,999 of value	x	x	x	x													
	3. from 90,000-199,999 of value	x	x	x	x													
	4. from 200,000-499,999 of value	x	x	x	x													
	5. from 500,000 and over	x	x	x	x													
95011400	Locksmith	x	x	x	x													
95004705	Mail Order Business (\$5,000 bond )	x	x	x	x													
95011600	Manufacturers	x	x	x	x													
95011601	Manufacturers Condiments	x	x	x	x													
95011602	1. ice vehicle	x	x	x	x													
95011700	Manufacturer Representatives	x	x	x	x													
95011800	Machine & Game Distributors	x	x	x	x													
95011802	Machine owned by establishment (ea)	x	x	x	x													
95011999	Massage Clinic	x	x	x	x													
95012000	Massage Therapist	x	x	x	x													
	Merchants Sales (based on cost of inventory value):	x	x	x	x													
95012065	1. 1st 1,000 of valued or less	x	x	x	x													
95012065	2. ea. 1,000-99,999 or fraction.	x	x	x	x													
95012066	3. from 100,000-199,999 of value	x	x	x	x													
95012066	4. from 200,000-499,999 of value	x	x	x	x													
95012066	5. from 500,000 and over	x	x	x	x													
95012200	Messenger Service	x	x	x	x													
95006207	Midwife	x	x	x	x													
95000625	Model, Talent Agency	x	x	x	x													

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95012400	Money Broker	x	x	x			x											
95012500	Money Order Agency	x	x	x	x													
95012550	Monogram, Silkscreen	x	x	x	x													
95000610	Mortgage Broker Firms (1 free broker)	x	x	x	x													
95000610	1. broker (ea. additional broker,	x	x	x	x													
95000652	2. salesman	x	x	x														
95012800	Motor Scooter Rental Agency (1-20)	x	x	x	x													
95012800	ea. additional vehicle over 20	x	x	x	x		x										x	
95012900	Movie Picture Shows (one screen)	x	x	x	x													
95012901	ea. additional screen	x	x	x	x													
95002702	Nail Salon: 1. (with 1-5 chairs)	x	x	x	x													
	Nail Salon: 2. (with 6-10 chairs)	x	x	x	x													
	Nail Salon: 3. (with 11-15 chairs)	x	x	x	x													
95002703	Nail Salon: 4. manicurist	x	x	x														
95013200	Newsstand-sidewalk	x	x	x	x													
95013300	Newspapers or periodicals	x	x	x	x													
95013400	Nurses Registered, LPN, ARMP,	x	x	x														
95006207	1. midwife	x	x	x														
95013500	Nurses Hospital Staff	x	x	x	x													
95013600	Nursing Homes & Private Hospital	x	x	x	x													
95004608	Nutrition Consultant	x	x	x														
95600000	Occupancy Load	x	x	x	x													
95013800	Office & (any other not listed)	x	x	x	x													
95013801	Office (personal)	x	x	x	x													
95013900	Optician (note: retail sales needs sep. merchant Busi. Tax Cert.	x	x	x	x													
	Optician	x	x	x														
95014000	Optometrist (note: retail sales needs sep. merchant busi. Tax. Cert.	x	x	x	x													
	Optometrist	x	x	x														
95014200	Osteopath	x	x	x														
95014350	Paper Hangers	x	x	x	x													

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95014500	Parking Lot:	x	x	x	x		x											
95001707	1. Parking Garage	x	x	x	x		x											
95014507	2. Under utilized	x	x	x	x		x											
95014502	3. Provisional	x	x	x	x		x											
95014506	4. Temporary	x	x	x	x		x											
95014505	5. Parking valet lot only	x	x	x	x		x									x		
95014504	6. Self-Parking	x	x	x	x		x											
99020700	7. Valet Parking (per location, & letter) each additional locator	x	x	x	x		x											
95014600	Party Planner	x	x	x	x		x											
95014700	Pathologist	x	x	x														
95017003	Pawnbroker (non-transferable)	x	x	x	x		x										x	
95007300	Pest Control	x	x	x	x		x											
95004850	Pharmacy (note: retail sales needs sep. Busi. Tax Cert.	x	x	x	x		x											
95015000	Phlebotomist	x	x	x														
95015100	Photography, Studio, Film Develop	x	x	x	x		x											
95015101	Photography (drop-off develop. only)	x	x	x	x		x											
95015601	Photo Laser Printing Service	x	x	x	x		x											
95006205	Psychologist (Office)	x	x	x	x		x											
	Psychologist	x	x	x														
95015300	Physiotherapist (Office)	x	x	x	x		x											
	Physiotherapist	x	x	x														
95015400	Picture Framing	x	x	x	x		x											
95015500	Podiatrist (Office)	x	x	x	x		x											
	Podiatrist	x	x	x														
95015550	Post Office Box Rental (note: retail sales needs sep. Busi. Tax Cert.	x	x	x	x		x											

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N/A	Postage Stamp Sales	x	x	x	x													
	1. stamp machine distributor	x	x	x	x													
	2. ea. machine	x	x	x	x													
95015600	Printing, Copying Service	x	x	x	x													
95015602	Copying (self) Service accessory	x	x	x	x													
95006000	Private Investigative Agency	x	x	x	x		x											
95015700	Private School (per location)	x	x	x	x													
95015800	Process Service	x	x	x	x													
95000657	Production Company	x	x	x	x													
	Promoter: (\$2,500 bond plus \$7,500 guarantee)	x	x	x	x						x							
95050199	single event/single loc. (<150 occ.)	x	x	x	x													
95050199	single event/single loc. (>150 occ.)	x	x	x	x													
95050200	multiple event/single loc. (<150 occ.)	x	x	x	x													
95050200	multiple event/single loc. (>150 occ.)	x	x	x	x													
95050201	multiple event/multiple loc. (<150 occ.)	x	x	x	x													
95050201	multiple event/multiple loc. (>150 occ.)	x	x	x	x													
95006265	Professional Association, Corporation.	x	x	x	x				x									
95015900	Property Management	x	x	x	x													
95016000	Public Relations	x	x	x	x													
95016100	Publisher	x	x	x	x													
95000670	Real Estate Brokerage Firm, Corp:	x	x	x	x			x										
95000607	1. ea. broker with firm	x	x	x	x													
95000652	2. ea. salesman with firm	x	x	x	x													
95016300	Repair Shop (Appliance, mowers, etc)	x	x	x	x													
95004703	Reservation Office	x	x	x	x													
95016400	Restaurant (add occupancy code load)	x	x	x	x	x	x						x					
95016400	Restaurant & Bars	x	x	x	x	x	x	x	x				x					
04016400	Bars	x	x	x	x	x	x	x	x									
	1. per chair (from 1-50)	x	x	x	x													
	2. per chair (from 51 and up)	x	x	x	x													
95016401	3. sidewalk area sq. ft.)	x	x	x	x													

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95000702	4. (no sale of alcoholic beverage. for	x	x	x	x		x											
95000703	5. on premises consumption)	x	x	x	x			x										
03005825	6. Night Clubs (>200 Occ. Load @\$3/load)	x	x	x	x					x								
95016650	Rink, Skating, Bike (need commission approval)	x	x	x	x													Need Commission approval
95016600	Rooming House (smoke detector): 1-20 rooms	x	x	x	x					x	x							
	Rooming House (smoke detector): ea. room over 20	x	x	x	x					x	x							
95016750	Sail Maker	x	x	x	x													
95016800	Sales Office	x	x	x	x													
95013600	Sanitarium, Nursing Homes, Hospita	x	x	x	x													
95017000	Second Hand Dealers: 1. goods other than wearing apparel	x	x	x	x													Department of Agriculture
95017001	Second Hand Dealers: 2. wearing apparel	x	x	x	x													Department of Agriculture
95017002	Second Hand Dealers: 3. cars	x	x	x	x													Department of Agriculture
95000603	Second Hand Dealers: 4. boat broker	x	x	x	x													Department of Agriculture
95017100	Service Station (one pump)	x	x	x	x													Department of Agriculture License if applicable for food sales
	1. ea. additional pump	x	x	x	x			x										
95017200	Shoe Repairing	x	x	x	x													
95017400	Sightseeing Buses (each bus)	x	x	x	x													
95017500	Sign Writers	x	x	x	x													
95017600	Sociologist, or Marriage Counselor	x	x	x														
95006209	Social Worker (LCSW)	x	x	x														
95017700	Soda, Ice Cream, Yogurt (only)	x	x	x	x								x					
95017800	Solarium	x	x	x	x													
95017900	Sound Recording Operator	x	x	x	x													

**City of Miami Beach  
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Occupational codes appear in alphabetic order:

Occup Code	Title Description	Requirements for ALL Applicants			Requirements for Specific Entities											Requirements from Other Departments		Other
		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance	
95017905	Sound Recording Studio	x	x	x	x													
95018300	Stock Brokers (full service)	x	x	x	x		x											
	1. employing (1-5)	x	x	x	x													
	2. employing (6-15)	x	x	x	x													
	3. employing (16-20)	x	x	x	x													
95000621	4. contact stock broker	x	x	x														
95018305	5. stock broker salesman (ea.)	x	x	x														
95021101	Storage Yard	x	x	x	x													
95018550	Swimming Pool	x	x	x	x													
95018400	Tailor	x	x	x														
95018405	Tailor as an accessory	x	x	x	x													
95000659	Talent Agency	x	x	x	x													
95006251	Tattoo Establishment (needs docter)	x	x	x	x													
95006250	Tattoo Artist (each) & Body peircing	x	x	x														
95018500	Tag Collection Agency (tags, drivers lic.) 1	x	x	x	x													
95018510	1. as an accessory	x	x	x	x													
95000201	Tax Service	x	x	x	x													
95018700	Telegraph Companies, Money Wire	x	x	x	x													
95019000	Telephone Sales Office	x	x	x	x													
95019100	Television Rental	x	x	x	x													
95019500	Tennis Court	x	x	x	x													
95019300	Tennis Pro	x	x	x	x													
95012902	Theaters live shows (0-49 seats)	x	x	x	x													
	(50 seats and over)	x	x	x	x													
N/A	Theatrical Performance (Charity)	x	x	x	x													
95000614	Theatrical Agency	x	x	x	x													
95000616	Theatrical Producer	x	x	x														
95006203	Therapist	x	x	x														
95019900	Ticket Office	x	x	x	x													
95020000	Towel & Linen Supply Service	x	x	x	x													

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		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency	Certificate of Insurance		Background Check (PD)
95020100	Tow Truck, Wrecker (each truck)	x	x	x	x													x	
95020201	Transportation Service	x	x	x	x													x	
95020200	Transportation Public (ea. vehicle)	x	x	x	x													x	
95020300	Travel Bureau (needs state Cert. every yr.) 165.00	x	x	x	x		x												Needs State Certificate from FI Dept. of Agriculture and Consumer Services each year
95020302	Tour Agency (needs state Cert. every yr.) 165.00	x	x	x	x		x												Needs State Certificate from FI Dept. of Agriculture and Consumer Services each year
95020301	Tour Operator	x	x	x															
95020304	Tour Service & Infor. (sold elsewhere)	x	x	x	x														
95015702	Tutorial Service	x	x	x	x														
95020400	Typing, Wordprocessing, etc.	x	x	x	x														
95020410	1. agency (done off premises)	x	x	x	x														
95006275	Ultra-sound Technician	x	x	x															
99020700	Valet Parking (per location, & letter) plus each additional locatior	x	x	x	x		x												Notarized Letter form establishment with permission of business owner
95300000	Variance Number	x	x	x	x														
95020800	Veterinarian or Veterinary Surgeor	x	x	x															
95021000	Video Tape Rental (each location)	x	x	x	x														

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		General Application Requirements - Completed Application	Miami-Dade County Occupational License	Federal Employer Id Number	Certificate of Use	Lease / Recorded warranty deed / Bill of Sale / Closing Statement	State License	Resort Tax	Articles of Incorporation / Professional Association Papers	Letter from Developer	Recorded Condo Docs	Bond	Indemnity Form	Food Permit	Letter from current business tax receipt holder	Proof of Residency		Certificate of Insurance
95021005	Video Tape Rental (accessory)	x	x	x	x													
95021100	Warehouse	x	x	x	x													
95021200	Wholesale Dealer	x	x	x	x													
95021300	Window Cleaner & Janitor Service	x	x	x	x							x						
95021400	Wrecker/Towing Service	x	x	x	x													
95021401	Wrecker/Immobilization Service	x	x	x	x													
95020100	1. tow truck, wrecker (each truck	x	x	x	x													

**Certificate of Use Submittal Requirements**

All businesses requiring a Certificate of Use (See List of Businesses)

Requirement	Required By	Reason for Requirement
Complete BTR/CU Application	Planning	City Code Sec. 118-2, City Code Chapter 130 (Parking Reqs) , City Code Chapter 122 (Concurrency)
Smoke Detector Form	Fire	City Code 102-371
Annual Fire Permit	Fire	City Code 50-5
Certificate of Occupancy	Building	Florida Building Code Section 110.1
40 Years Building Recertification Compliance	Building	Miami Dade County Ordinance 8-11 (f), and (CMB Code Sec. 14-67)

**Newstands/Sidewalk and Restaurants (Sidewalk Cafes)**

Requirement	Required By	Reason for Requirement
Sidewalk Permit	Finance	City Code 102-379
	Building	CMBO-SEC. 82-381 (a); 82-382 ©
	Public Works	City Ordinance 2008-3601, City Code Sec.18-641

**Restaurants, Bars, Entertainment Establishments, and businesses such as Barber, Beauty Salon, etc. (See List of Businesses)**

Requirement	Required By	Reason for Requirement
Indicate Number of Seats/ Floorplan	Planning	City Code Chapter 130 (Parking Reqs) , City Code Chapter 122 (Concurrency)
	Public Works	City Ordinance 2008-3601
	Finance	City Code 102-379
Occupant Load Permit	Fire	City Code 50-5
	Planning	City Code 142-1302 and 142-1361
	Building	* Occupant Content Sign- City Code 14-68, Florida Building

**Parking Lots**

Requirement	Required By	Reason for Requirement
Plans for Parking Lots	Public Works	Review impact to ROW

**Sidewalk Café Permit Submittal Requirements**

Requirement	Required By	Reason for Requirement
Plans for Sidewalk Café	Planning	City Code 82-382
	Public Works	City Code 82-382
	Code	City Code 82-382
	Building	City Code 82-382 ( Building and Plumbing Sections)
DERM Grease Trap	Building	Miami Dade County Ordinance Section 24-15
WASD Compliance Letter	Building	Miami Dade County Water and Sewer Compliance Ordinance 89-95

**City of Miami Beach  
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**Occupational codes appear in alphabetic order:**

Occup Code	Title Description	CompleteBTR/CU Application	Smoke Detector Form	Indicate number of Seats/ Floorplan	Sidewalk Permit	Occupant Load Permit	Annual Fire Permit	Plans for Parking Lots	Plans for Sidewalk Café	Certificate of Occupancy & 40 Years Building Recertification Compliance	Other
		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95000200	Accountant, Auditor (Office)	x					x			x	
95000200	Accountant, Auditor										
95000300	Acupuncturist (Office)	x					x			x	
95000300	Acupuncturist										
95000400	H.R.S. Adult Living Facility or (ACLF) - 1. first 10 beds	x	x				x			x	
	H.R.S. Adult Living Facility or (ACLF) - 1. each additional bed	x	x				x				
95000500	Advertising (Office)	x					x			x	
95901000	Adult Entertainment Establishments(must be 300ft. From School or Religious Insti.)	x		x		x	x			x	
95000601	Agents, Broker, Dealers & all others: - 1. ea. Firm	x					x			x	
	Agents, Broker, Dealers & all others: - 2. ea. individual as salesmar										
95000600	Agents, Broker, Dealers & all others: - 3. ea. individual as broke										
95000604	Agents, Broker, Dealers & all others: - 4. business broke										
95004601	Agents, Broker, Dealers & all others: - 5. business consultan										
95000700	Alcohol Beverage: 1. open after midnight closing	x		x			x			x	
	Alcohol Beverage: no later 2:00 A.M.	x		x			x			x	
95000701	Alcohol Beverage: 2. open after 2:00 A.M. closing	x		x			x			x	
	Alcohol Beverage: no later 5:00 A.M.	x		x			x			x	
	<b>All Other Businesses not specifically named</b>	x					x			x	
	<b>1. General Business/Office Uses</b>	x					x			x	
	<b>2. Heavy/Industrial</b>	x					x			x	
95000550	Alterations, Tailor	x								x	
95000551	Alterations in another shop	x					x			x	
95000800	Antique Dealer	x					x			x	
	Apartment Buildings ( <u>Rental</u> ) not including kitchen & bathroom): (smoke detector)	x	x				x			x	Requires Number of Units (Planning)
95700000	1. 4 units or less (enter total units)	x	x				x			x	
95000900	2. from 1-15 rooms	x	x				x			x	

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		Smoke Detector Form	Indicate number of Seats/ Floorplan	Sidewalk Permit	Occupant Load Permit	Annual Fire Permit	Plans for Parking Lots	Plans for Sidewalk Café	Certificate of Occupancy & 40 Years Building Recertification Compliance			
"	3. ea. additional room	x	x									
95009502	4. ea. hotel room	x	x									
95700010	5. 5 or more units (enter total units)	x	x									
95001000	Appraiser											
95001100	Arcade	x					x					
95011801	ea. coin machine (game, jute box,	x					x					
95001200	Architect (Office)	x						x				
	Architect											
95001300	Armored Car Service	x						x				
95001400	Arms, Ammo, pistols, knives, etc.	x						x				
	1. dealer in connection	x						x				
	2. ea. employee											
95001401	3. starting, tear gas, & b.b. guns	x						x				
95001500	Artists											
95001600	Attorneys (Office)	x						x				
	Attorneys											
95001650	Auction business	x						x				
95003602	Auto. teller machines (off premises)	x						x				
	Automobile / Truck:	x						x				
95008302	1. body shop, garage, storage	x						x				
95000630	2. broker											
95001704	3. dealer (new)	x						x				
95008303	6. painting	x						x				
95001707	7. parking garage	x						x				
95001701	8. rental agency	x						x				
95001703	9. sub rental agency (no car,	x						x				
95001900	10. shipper	x						x				

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95008305	11. wash & detailing	x					x			x	
95008307	12. wash & detailing @ gas station	x					x			x	
	Automobile for hire, Limousines, except sightseeing buses):	x					x				
95001708	1.ea. Automobile	x					x				
95001709	2.ea. Private or nursery bus	x					x				
95001705	3. limousine service	x					x			*Office space	
95001706	4. ea. limousine	x					x				
95002000	Baggage & Transfer, Mover	x					x			*Office Space	
95002100	Bail bonds	x					x				
95002200	Bakery, Wholesale (note: retail sales req. sep. business tax cert.)	x		x			x			x	
	(with 5 employees or less)	x		x			x				
	(with 6-25 employees)	x		x			x				
	(with more than 25 employees)	x		x			x				
95002400	Barber Shop (with 1-5 chairs)	x		x			x			x	
	(with 6-10 chairs)	x		x			x			X	
	(with 11-15 chairs)	x		x			x			X	
	(each chair over 15)	x		x			x			X	
95002401	Barber									x	
95000665	Bath Clubs, Social Clubs	x				x	x			x	
	Beach Front Concession (addition to existing BTR)	x					x				
02002600	Upland Fee (max.of \$10,000)	x					x				
95002601	1. per equip. activity/locator	x					x				
95002600	2. food	x					x				
95002605	3. drinks only (with food license.	x					x				
95002602	4. water-sports	x					x				
95002603	5. beach sundries	x					x				
95002700	Beauty Parlors, Hairdressing, Facial, Massage, Manicure, Cosmetology, Etc.	x		x			x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
	(with 1-5 chairs)	x		x			x			X	
	(with 6-10 chairs)	x		x			x			X	
	(with 11-15 chairs)	x		x			x			X	
	(each chair over 15)	x		x			x			X	
95002701	Beautician (Cosmetician)									x	
95002750	Bed & Breakfast Inn. (smoke detector)	x	x				x			x	
	1. from 1-15 rooms	x	x				x			x	
	2. ea. additional room	x	x				x			x	
95012300	Beeper Service	x					x			x	
95002800	Bicycle, rent, & repair (note: retail sales need sep. merchant Busi. Tax. Cert.)	x					x			x	
95002900	Billiard, Pool tables (each table)	x		x		x	x			* space	
95003100	Boardinghouse: 1. from 1-15 rooms	x	x				x			x	
	Boardinghouse: 2. ea. additional room	x	x				x			x	
	Boat, Ship, Surfboard: (special alp.)	x					x			x	
95003407	1. boat slips	x					x				
95003402	2. commercial passenger (per boat)	x					x				
95003406	3. commercial docks	x					x				
95003403	4. charter (per boat)	x					x				
95003410	5. dealer (new)	x					x			X	
95000603	6. dealer broker (used)	x					x			X	
95003408	7. docks (per linear foot)	x					x				
95003416	8. ferry terminal	x					x			X	
95009550	9. housebarges	x					x			X	
95003200	10. livery (1-8 boats)	x					x				
	ea. additional 5 boats or fraction	x					x				

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
99003417	11. rental access. to hotel (1-8 units)	x					x			X	
	ea. additional 5 boats or fraction	x					x				
95003412	12. repair, yard, and ways	x					x				
95003401	13. sightseeing, excursion	x					x				
95003418	14. storage basins and sheds	x					x			X	
95003404	15. towing and lightening	x					x				
95003415	16. water taxi (1-3 boats)	x					x				
	(ea. additional boat)	x					x				
95003550	Bowling, or Box Ball (per alley)	x				x	x			x	
95003600	Bldg. & Loan, Financial institutions	x					x			X	
95019401	Burlesque Theater	x		x		x	x			x	
95003700	Cabanas (ea.)	x					x			x	
95003800	Cardroom	x		x		x	x			x	
95003900	Carpet, Rug Cleaning	x					x			*Space	
95000659	Casting office, Talent									x	
95004100	Caterers	x					x			*Space	
95004101	Caterers Construction, Mobile	x									
95004200	Check Cashing	x					x			x	
00015703	Child Care Center (fee capt by state)	x	x				x			x	
95004500	Chiropractor (Office)	x					x			x	
	Chiropractor										
95004700	Clerical office	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95004800	Clinic, Medical, Dental	x					x			x	
95004900	Closing-out Sale (30 days)	x									
95004901	(additional 15 day periods)	x									
95005000	Coin dealer	x								*Office space	
95011305	Coin Equipment Distributor	x					x			*Office space	
95005101	(1 cent - 25 cents machines) ea.	x					x				
95005102	(25 cents and over machines) ea.	x					x				
95005100	Coin Vending Distributor	x					x			x	
95005200	Collection Agency	x					x			x	
95004602	Computer Consultant									*Office space	
95004603	Construction Consultant									*Office space	
95004600	Consultant, Advisor, & Practitioners									*Office space	
95004601	Consultant, Business						x			*Office space	
95004607	Consultant, Management						x			*Office space	
95800000	Condo (no state license. required)	x	x			x	x			*Building	
95400000	Conditional Use	x								*Assembly	
95005300	Convention Service Bureau	x					x			*Office space	
95004604	Cosmetic Consultant									*Office space	
95019802	Counselor, Marriage									*Office space	
95005500	Court Reporter									*Office space	
95000627	Currency exchange	x					x			x	
95005800	Dance Hall/Entertainment w/o Alcohol	x		x		x	x			x	

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			Smoke Detector Form	Indicate number of Seats/ Floorplan	Sidewalk Permit	Occupant Load Permit	Annual Fire Permit	Plans for Parking Lots	Plans for Sidewalk Café	Building		
95005805	Dance Hall/Entertainment w/ Alcohol	x			x		x	x			x	Must provide Number of pupils (Planning)
03005825	Night Clubs (>200 Occ. Load @\$3/load)	x			x		x	x			x	
	<b>Minimum based on Maximun Capacity</b>	x			x			x				
95015701	Day Care Center., Nursery School HRS	x	x					x			x	
	Dealers (pre-owned, Secondhand):	x						x			x	
95017000	1. goods other than wearing apparel	x						x			x	
95017001	2. wearing apparel	x						x			x	
95005910	Dental Hygienists											
95005900	Dentist (Office)	x						x			x	
	Dentist											
95000675	Designer										*Office Space	
95006100	Dietician (Office)	x						x			x	
	Dietician											
95006200	Doctors, Physicians (Office)	x						x			x	
95000615	1. hearing aid broker										* Office Space	
95006201	2. hearing aid specialist										* Office Space	
95019801	3. occupational therapist										* Office Space	
95017601	4. mental health counselor										* Office Space	
	Doctors, Physicians											
95006300	Doctors, Hospital Staff											
95006400	Doctors, Physician's Assistant											

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95006500	Dog Grooming, Animal Clinic	x					x			x	
95006600	Electric Light Co.	x					x			x	
95006700	Electrologists									*Office Space	
95006800	Employment Agency	x					x			x	
95006900	Engineers (Office)	x					x			x	
	Engineers										
95240029	Entertainment Establishment without Dance Hall	x				x	x			x	
95007100	Equipment Rental	x					x			x	
9500710	1. respiratory equipment	x					x				
95006801	Escort Service	x					x			x	
	Express Mail Service:	x					x			x	
	1. p o box, package sending,	x					x			x	
	copy, fax, money order, office	x					x			x	
	supplies, stamps, money wire	x					x			x	
95007250	agent, notary, & passport photos	x					x			x	
	2. all of the category 1	x					x			x	
95007251	plus answering service(5 phones)	x					x			x	
	(ea. additional phone)	x					x				
95004606	Fashion Consultant									*Office Space	
95018701	Fax Service:	x					x			x	
95018702	accessory to main occupation	x					x			x	
95003600	Financial Institutions (Banks, etc.)	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95012302	Finger Printing (Misc. General)	x					x			x	
95007400	Fire Prevention Service	x					x			x	
95007500	Florist	x					x			x	
95007600	Flower Stand( Add Code for inside only)	x									
	Food Sales (retail inventory)	x					x			x	
95007700	1. 1st.. 1,000 of valued or less	x					x			x	
95007701	2. ea. 1,000-89,999 of value	x					x			x	
	3. from 90,000-199,999 of value	x					x			c	
	4. from 200,000-499,999 of value	x					x			x	
	5. from 500,000 and over	x					x			x	
95007104	Formal Rental	x					x			x	
95007900	Fortune Tellers (no felony)									*Office Space	
95007950	1. as an accessory										
95008000	Fruit Shipper	x					x			x	
95008002	Fruit Shipper (as an accessory)	x					x			x	
	Fuel Dealers, Bottled Gas, etc:	x					x			x	
95008100	1. fuel oil dealer	x					x			x	
95008101	2. fuel bottled gas dealer	x					x			x	
95008120	3. wood yard dealer	x					x			x	
95008200	Funeral Home	x				x	x			x	
95008001	Gallery ,Art	x				x	x			x	
	Garbage, Waste Contractor:	x					x			*Office	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95008404	1. bio-hazardous	x					x			x	
95008401	2. franchise (registered & Approved)	x					x			x	
95008403	3. hazardous	x					x			x	
95008402	4. recycling (DERM permit)	x					x			x	
95008400	5. roll-off	x					x			x	
95008500	Gas Companies	x					x			x	
95008550	Gasoline Wholesale Dealer	x					x			x	
95008600	1. oil diesel (exceeds 15,000)	x					x			x	
	General Merchandise Retail Sales:	x					x			x	
95012300	1. general business (beepers)	x					x			x	
95012302	2. general business (fingerprinting)	x					x			x	
	Merchants Sales (based on cost of inventory value):	x					x				
95012065	3. 1st.. 1,000 of valued or less	x					x			x	
95012065	4. ea. 1,000-99,999 or fraction.	x					x			x	
95012066	5. from 100,000-199,999 of value	x					x			x	
95012066	6. from 200,000-499,999 of value	x					x			x	
95012066	7. from 500,000 and over	x					x			x	
95008802	Golf Driving Courses	x				x	x			x	
95008801	Golf Miniature Courses	x				x	x			x	
95008800	Golf Pro										
95006150	Guard, Watchman, Security,Patrol Agency	x					x			x	
95021500	Hall for Hire	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95006255	Healers										
95009100	Health Club ( dept. agri. & consumer.)	x				x	x			x	
95009200	Health Maintenance Plan	x					x				
95009250	Heliports	x		x			x				
95000619	Home Base Business (plus other Occ.)	x					x				
95000618	Home Health Agency (HRS)	x					x				
95006200	Homeopathic Physicians										
95009500	Hotel (smoke detector) first 15 rooms	x	x			x	x			x	Must provide number of rooms (Planning)
95009503	1. hotel rooms with kitchens	x	x			x	x			x	
	2. ea. additional room	x	x			x	x			x	
95000901	3. apartment rooms	x	x			x	x			x	
95018550	4. swimming pool	x	x			x	x			x	
95009600	Hypnotist, Hypnotherapist (Office)	x					x			x	
	Hypnotist, Hypnotherapist										
95009700	Immigration Service	x					x			x	
95009800	Import & Export Dealer	x					x			x	
95009900	Income Tax Service	x					x			x	
95009950	1. agency (drop-off site only)	x		x			x				
95500000	Inside Only	x									
95010000	Installers Floor Covering, Carpet	x					x			*Office	
	Insurance (underwriting Co.):	x					x			*Office	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95010200	1. adjuster	x					x			*Office	
95000606	2. agency	x					x			*Office	
95000649	3. insurance broker	x					x			*Office	
95010100	4. casualty/liability	x					x			*Office	
95010105	5. company	x					x			*Office	
95010101	6. fire	x					x			*Office	
95010102	7. industrial	x					x			*Office	
95010103	8. life	x					x			*Office	
95000651	9. insurance salesman	x					x			*Office	
95010300	Interior Decorators									*Office	
95010301	Interior Designers									*Office	
95010400	Investment Counselor									*Office	
95010500	Janitorial, & Maid Service	x					x			*Office	
	Jewelers (based on inventory value):	x					x				
95010600	1. 1st 1,000 of valued or less	x					x			*Office	
95010600	2. ea.1,000-99,999 or fraction	x					x			*Office	
95010601	3. from 100,000-199,999 of value	x					x			*Office	
95010601	4. from 200,000-499,999 of value	x					x			*Office	
95010601	5. from 500,000 and over	x					x			*Office	
95010700	Key machines	x								*Office	
95010800	Kosher Products (add. to other license.)	x		x			x				
95010900	Laboratory (chemical, dental, optical, x-ray, etc.)	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95010901	Laboratory Technicians	x					x			x	
95011000	Land Development Companies	x					x			x	
95011100	Landscape Architects, Cont., Nursery	x					x			x	
95011200	Landscape Maintenance	x					x			x	
95015601	Laser Photo Printing Service	x					x			x	
95011302	Laundry Dry Cleaners	x					x			x	
95011303	Laundry Dry Cleaners (remote location)	x					x			x	
95011304	Laundry (coin operate)	x					x			x	
95011307	(ea. machine)	x					x			x	
95011305	Laundry (coin equipment distributor)	x					x			x	
95011307	(ea. machine)	x					x			x	
04007701	Liquor Sales	x					x			x	
	1. 1st.. 1,000 of valued or less	x					x			x	
	2. ea. 1,000-89,999 of value	x					x			x	
	3. from 90,000-199,999 of value	x					x			x	
	4. from 200,000-499,999 of value	x					x			x	
	5. from 500,000 and over	x					x			x	
95011400	Locksmith	x					x			x	
95021204	Lumber, Building Material Dealers	x		x			x				
95004705	Mail Order Business (\$5,000 bond )	x					x			x	
95011600	Manufacturers	x					x			x	
95011601	Manufacturers Condiments	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95011602	1. ice vehicle	x					x				
95011700	Manufacturer Representatives	x					x			x	
95011800	Machine & Game Distributors	x					x			x	
95011802	Machine owned by establishment (ea)	x					x			x	
95011999	Massage Clinic	x					x			x	
95012000	Massage Therapist										
	Merchants Sales (based on cost of inventory value):	x					x			x	
95012065	1. 1st 1,000 of valued or less	x					x			x	
95012065	2. ea. 1,000-99,999 or fraction.	x					x			x	
95012066	3. from 100,000-199,999 of value	x					x			x	
95012066	4. from 200,000-499,999 of value	x					x			x	
95012066	5. from 500,000 and over	x					x			x	
95012200	Messenger Service	x					x			x	
95006207	Midwife										
9500625	Model, Talent Agency	x					x			x	
95012400	Money Broker	x					x			x	
95012500	Money Order Agency	x					x			x	
95012550	Monogram, Silkscreen	x					x			x	
95000610	Mortgage Broker Firms (1 free broker)	x					x			x	
95000610	1. broker (ea. additional broker)										
95000652	2. salesman										
95012800	Motor Scooter Rental Agency (1-20)	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95012800	ea. additional vehicle over 20	x					x			x	
95012900	Movie Picture Shows (one screen)	x		x		x	x			x	
95012901	ea. additional screen	x		x		x	x			x	
95002702	Nail Salon: 1. (with 1-5 chairs)	x		x		x	x			x	
	Nail Salon: 2. (with 6-10 chairs)	x		x		x	x			x	
	Nail Salon: 3. (with 11-15 chairs)	x		x		x	x			x	
95002703	Nail Salon: 4. manicurist	x		x		x	x			x	
95043400	Naturopath	x		x		x	x				
95013200	Newsstand-sidewalk	x			x				x		
95013300	Newspapers or periodicals	x								x	
95013304	News Depot	x		x			x				
03005825	Night Clubs (->200 Occ. Load @ \$3/load)	x		x			x				
95013400	Nurses Registered, LPN, ARMP,										
95006207	1. midwife										
95013500	Nurses Hospital Staff										
95013600	Nursing Homes & Private Hospital	x	x				x				
95004608	Nutrition Consultant										
95600000	Occupancy Load	x					x			x	
95013800	Office & (any other not listed)	x					x			x	
95013801	Office (personal)	x					x			x	
95013900	Optician (note: retail sales needs sep. merchant Busi. Tax Cert.)	x					x			x	
	Optician										

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95014000	Optometrist (note: retail sales needs sep. merchant busi. Tax. Cert.)	x					x			x	
	Optometrist										
95014200	Osteopath										
<del>95014300</del>	Paint Testing	x		x			x			x	
95014350	Paper Hangers	x					x			x	
95014500	Parking Lot:	x					x	x		x	
95001707	1. Parking Garage	x					x	x		x	
95014507	2. Under utilized	x					x	x		x	
95014502	3. Provisional	x					x	x		x	
95014506	4. Temporary	x					x	x		x	
95014505	5. Parking valet lot only	x					x	x			
95014504	6. Self-Parking	x					x	x		x	
99020700	7. Valet Parking (per location, & letter)	x					x	x			
	each additional location	x					x				
95014600	Party Planner									*Office space	
95014700	Pathologist									*Office space	
95017003	Pawnbroker (non-transferable)	x					x			x	
95007300	Pest Control	x					x			x	
95004850	Pharmacy (note: retail sales needs sep. Busi. Tax Cert.)	x					x			x	
95014950	Philatelist	x		x			x				
95015000	Phlebotomist										
95015100	Photography, Studio, Film Develop.	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95015101	Photography (drop-off develop. only)	x					x			x	
95015601	Photo Laser Printing Service	x					x			x	
95006205	Psychologist (Office)	x					x			x	
	Psychologist										
95015300	Physiotherapist (Office)	x					x			x	
	Physiotherapist										
95015400	Picture Framing	x					x			x	
95015500	Podiatrist (Office)	x					x			x	
	Podiatrist										
95015550	Post Office Box Rental (note: retail sales needs sep. Busi. Tax Cert.)	x					x			x	
N/A	Postage Stamp Sales	x					x			x	
	1. stamp machine distributor	x					x			x	
	2. ea. machine	x					x				
95015600	Printing, Copying Service	x					x			x	
95015602	Copying (self) Service accessory	x					x			x	
95006000	Private Investigative Agency	x					x			x	
95015700	Private School (per location)	x					x			x	
95015800	Process Service	x					x			x	
95000657	Production Company	x					x			x	
	Promoter: (\$2,500 bond plus \$7,500 guarantee)	x					x				
95050199	single event/single loc. (<150 occ.)	x					x				Office space
95050199	single event/single loc. (>150 occ.)	x					x				

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95050200	multiple event/single loc. (<150 occ.)	x					x				
95050200	multiple event/single loc. (>150 occ.)	x					x				
95050201	multiple event/multiple loc. (<150 occ.)	x					x				
95050201	multiple event/multiple loc. (>150 occ.)	x					x				
95006265	Professional Association, Corporation.	x					x			x	
95015900	Property Management	x					x			x	
95016000	Public Relations	x					x			x	
95016100	Publisher	x					x			x	
95016150	Racing Information (tip sheet)	x		x			x				
95000670	Real Estate Brokerage Firm, Corp.	x					x			x	
95000607	1. ea. broker with firm										
95000652	2. ea. salesman with firm										
95016300	Repair Shop (Appliance, mowers, etc.	x					x			x	
95004703	Reservation Office	x					x			x	
95016400	Restaurant (add occupancy code load)	x		x		x	x			x	* Building Department requires DERM GREASE TRAP PERMIT & WASD Compliance Ordinance Form
95016400	Restaurant & Bars	x		x		x	x			x	* Building Department requires DERM GREASE TRAP PERMIT & WASD Compliance Ordinance Form
04016400	Bars	x		x		x	x			x	Building Department requires WASD Compliance Ordinance Form

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
	1. per chair (from 1-50)	x		x		x	x			x	Building Department requires WASD Compliance Ordinance Form
	2. per chair (from 51 and up)	x		x		x	x			x	Building Department requires WASD Compliance Ordinance Form
95016401	3. sidewalk area sq. ft.)	x		x	x	x	x		x		*Plumbing Section at the Building Department requires DERM GREASE TRAP PERMIT & WASD Compliance Ordinance Form
95000702	4. (no sale of alcoholic beverage. for	x		x		x	x			x	Building Department requires WASD Compliance Ordinance Form
95000703	5. on premises consumption)	x		x		x	x			x	Building Department requires WASD Compliance Ordinance Form
03005825	6. Night Clubs (>200 Occ. Load @\$3/load)	x		x		x	x			x	Building Department requires WASD Compliance Ordinance Form
95016650	Rink, Skating, Bike (need commission approval)	x				x	x			x	
95016600	Rooming House (smoke detector): 1-20 rooms	x	x				x			x	
	Rooming House (smoke detector): ea. room over 20	x	x				x			x	
95016750	Sail Maker	x					x			x	
95016800	Sales Office	x					x			x	
95013600	Sanitarium, Nursing Homes, Hospital	x	x				x			x	
95017000	Second Hand Dealers: 1. goods other than wearing apparel	x					x			x	
95017001	Second Hand Dealers: 2. wearing apparel	x					x			x	
95017002	Second Hand Dealers: 3. cars	x					x			x	
95000603	Second Hand Dealers: 4. boat broker	x					x			x	
95017100	Service Station (one pump)	x					x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
	1. ea. additional pump	x					x			x	
95017200	Shoe Repairing	x					x			x	
95017204	1. drop-off only	x		x			x				
95017300	Shoe Shine Stand (each chair)	x		x			x				
95017400	Sightseeing Buses (each bus)	x					x				
95017500	Sign Writers	x					x			x	
95017600	Sociologist, or Marriage Counselor										
95006209	Social Worker (LCSW)										
95017700	Soda, Ice Cream, Yogurt (only)	x					x			x	
95017800	Solarium	x				x	x			x	
95017900	Sound Recording Operator	x					x			x	
95017905	Sound Recording Studio	x					x			x	
95018250	Steamship Agency, Stevedoring Co.	x		x			x				
95018300	Stock Brokers (full service)	x					x			x	
	1. employing (1-5)	x					x			x	
	2. employing (6-15)	x					x			x	
	3. employing (16-20)	x					x			x	
95000621	4. contact stock broker	x					x			x	
95018305	5. stock broker salesman (ea.)	x					x			x	
95021101	Storage Yard	x					x			x	
95018550	Swimming Pool	x					x			x	
95018400	Tailor						x			x	

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		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95018405	Tailor as an accessory	x					x			x	
95000659	Talent Agency	x					x			x	
95006251	Tattoo Establishment (needs doctor)	x					x			x	
95006250	Tattoo Artist (each) & Body peircing										
95018500	Tag Collection Agency (tags, drivers lic.) 1	x					x			x	
95018510	1. as an accessory	x					x			x	
95000201	Tax Service	x					x			x	
95018600	Taxidermist	x		x			x				
95018700	Telegraph Companies, Money Wire	x					x			x	
95018800	Telephone Answering Service	x		x			x				
95018900	Telephone Distributor	x		x			x				
95018904	1. ea. Phone	x		x			x				
95019000	Telephone Sales Office	x					x			x	
95019100	Television Rental	x					x			x	
95019500	Tennis Court	x				x	x			x	
95019300	Tennis Pro										
95012902	Theaters live shows (0-49 seats)	x		x		x	x			x	
	(50 seats and over)	x		x		x	x			x	
N/A	Theatrical Performance (Charity)	x		x		x	x			x	
95000614	Theatrical Agency	x					x			x	
95000616	Theatrical Producer									x	
95006203	Therapist										

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Certificate of Use  
Submittal Requirements**

**Occupational codes appear in alphabetic order:**

Occup Code	Title Description	CompleteBTR/CU Application	Smoke Detector Form	Indicate number of Seats/ Floorplan	Sidewalk Permit	Occupant Load Permit	Annual Fire Permit	Plans for Parking Lots	Plans for Sidewalk Café	Certificate of Occupancy & 40 Years Building Recertification Compliance	Other
		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95019900	Ticket Office	x					x			x	
95020000	Towel & Linen Supply Service	x					x			x	
95020100	Tow Truck, Wrecker (each truck)	x					x			x	
95020201	Transportation Service	x					x			x	
95020200	Transportation Public (ea. vehicle)	x					x			x	
95020300	Travel Bureau (needs state Cert. every yr.) 165.00	x					x			x	
95020302	Tour Agency (needs state Cert. every yr.) 165.00	x					x			x	
95020301	Tour Operator	x								x	
95020304	Tour Service & Infor. (sold elsewhere)	x					x			x	
95015702	Tutorial Service	x					x			x	
95020400	Typing, Wordprocessing, etc.	x					x			x	
95020410	1. agency (done off premises)	x					x			x	
95006275	Ultra-sound Technician										
95020600	Ushering Services	x		x			x				
99020700	Valet Parking (per location, & letter)	x									
	plus each additional location	x									
95300000	Variance Number	x					x				
95020800	Veterinarian or Veterinary Surgeon									x	
95000613	Video Copy Service	x		x			x			x	
95021000	Video Tape Rental (each location)	x					x			x	
95021005	Video Tape Rental (accessory)	x								x	
95021100	Warehouse	x					x			x	

**City of Miami Beach  
Certificate of Use  
Submittal Requirements**

Occupational codes appear in alphabetic order:

Occup Code	Title Description	CompleteBTR/CU Application	Smoke Detector Form	Indicate number of Seats/ Floorplan	Sidewalk Permit	Occupant Load Permit	Annual Fire Permit	Plans for Parking Lots	Plans for Sidewalk Café	Certificate of Occupancy & 40 Years Building Recertification Compliance	Other
		Planning	Fire	Planning, Public Works, Finance	Finance, Building, Public Works	Fire, Planning, Building	Fire	Public Works	Planning, Public Works, Code	Building	
95021200	Wholesale Dealer	x					x			x	
95021300	Window Cleaner & Janitor Service	x					x			x	
95021400	Wrecker/Towing Service	x					x			x	
95021401	Wrecker/Immobilization Service	x					x			x	
95020100	1. tow truck, wrecker (each truck)	x					x				

**ATTACHMENT IV:  
ENABLING LEGISLATION**

Select Year: 2008

## The 2008 Florida Statutes

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### CHAPTER 205

#### LOCAL BUSINESS TAXES

205.013 Short title.

205.022 Definitions.

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205.0535 Reclassification and rate structure revisions.

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205.0537 Vending and amusement machines.

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205.192 Charitable, etc., organizations; occasional sales, fundraising; exemption.

205.193 Mobile home setup operations; local business tax receipt prohibited; exception.

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205.196 Pharmacies and pharmacists.

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205.1967 Prerequisite for issuance of pest control business tax receipt.

205.1969 Health studios; consumer protection.

205.1971 Sellers of travel; consumer protection.

205.1973 Telemarketing businesses; consumer protection.

205.1975 Household moving services; consumer protection.

**205.013 Short title.**--This chapter shall be known and may be cited as the "Local Business Tax Act."

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 1, ch. 2006-152.

**205.022 Definitions.**--When used in this chapter, the following terms and phrases shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Business," "profession," and "occupation" do not include the customary religious, charitable, or educational activities of nonprofit religious, nonprofit charitable, and nonprofit educational institutions in this state, which institutions are more particularly defined and limited as follows:

(a) "Religious institutions" means churches and ecclesiastical or denominational organizations or established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on, and also means church cemeteries.

(b) "Educational institutions" means state tax-supported or parochial, church and nonprofit private schools, colleges, or universities conducting regular classes and courses of study required for accreditation by or membership in the Southern Association of Colleges and Schools, the Department of Education, or the Florida Council of Independent Schools. Nonprofit libraries, art galleries, and museums open to the public are defined as educational institutions and eligible for exemption.

(c) "Charitable institutions" means only nonprofit corporations operating physical facilities in this state at which are provided charitable services, a reasonable percentage of which are without cost to those unable to pay.

(2) "Receipt" means the document that is issued by the local governing authority which bears the words "Local Business Tax Receipt" and evidences that the person in whose name the document is issued has complied with the provisions of this chapter relating to the business tax.

(3) "Classification" means the method by which a business or group of businesses is identified by size or type, or both.

(4) "Enterprise zone" means an area designated as an enterprise zone pursuant to s. 290.0065. This subsection expires on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

(5) "Local business tax" means the fees charged and the method by which a local governing authority grants the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction. It does not mean any fees or licenses paid to any board, commission, or officer for permits, registration, examination, or inspection. Unless otherwise provided by law, these are deemed to be regulatory and in addition to, but not in lieu of, any local business tax imposed under the provisions of this chapter.

(6) "Local governing authority" means the governing body of any county or incorporated municipality of this state.

(7) "Person" means any individual, firm, partnership, joint adventure, syndicate, or other group or combination acting as a unit, association, corporation, estate, trust, business trust, trustee, executor, administrator, receiver, or other fiduciary, and includes the plural as well as the singular.

(8) "Taxpayer" means any person liable for taxes imposed under the provisions of this chapter; any agent required to file and pay any taxes imposed hereunder; and the heirs, successors, assignees, and transferees of any such person or agent.

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 5, ch. 82-75; s. 31, ch. 84-356; s. 50, ch. 91-45; s. 69, ch. 94-136; s. 18, ch. 2005-287; s. 2, ch. 2006-152.

**205.023 Requirement to report status of fictitious name registration.**--As a prerequisite to receiving a local business tax receipt under this chapter or transferring a business license under s. 205.033(2) or s. 205.043(2), the applicant or new owner must present to the county or municipality that has jurisdiction to issue or transfer the receipt either:

(1) A copy of the applicant's or new owner's current fictitious name registration, issued by the Division of Corporations of the Department of State; or

(2) A written statement, signed by the applicant or new owner, which sets forth the reason that the applicant or new owner need not comply with the Fictitious Name Act.

**History.**--s. 1, ch. 94-87; s. 3, ch. 2006-152.

**205.0315 Ordinance adoption after October 1, 1995.**--Beginning October 1, 1995, a county or municipality that has not adopted a business tax ordinance or resolution may adopt a business tax ordinance. The business tax rate structure and classifications in the adopted ordinance must be reasonable and based upon the rate structure and classifications prescribed in ordinances adopted by adjacent local governments that have implemented s. 205.0535. If no adjacent local government has implemented s. 205.0535, or if the governing body of the county or municipality finds that the rate structures or classifications of adjacent local governments are unreasonable, the rate structure or classifications prescribed in its ordinance may be based upon those prescribed in ordinances adopted by local governments that have implemented s. 205.0535 in counties or municipalities that have a comparable population.

**History.**--s. 1, ch. 93-180; s. 4, ch. 2006-152.

**205.032 Levy; counties.**--The governing body of a county may levy, by appropriate resolution or ordinance, a business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction. However, the governing body must first give at least 14 days' public notice between the first and last reading of the resolution or ordinance by publishing a notice in a newspaper of general circulation within its jurisdiction as defined by law. The public notice must contain the proposed classifications and rates applicable to the business tax.

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 2, ch. 93-180; s. 5, ch. 2006-152.

**205.033 Conditions for levy; counties.**--

(1) The following conditions are imposed on the authority of a county governing body to levy a business tax:

(a) The tax must be based upon reasonable classifications and must be uniform throughout any class.

(b) Unless the county implements s. 205.0535 or adopts a new business tax ordinance under s. 205.0315, a business tax levied under this subsection may not exceed the rate provided by this chapter in effect for the year beginning October 1, 1971; however, beginning October 1, 1980, the county governing body may increase business taxes authorized by this chapter. The amount of the increase above the tax rate levied on October 1, 1971, for taxes levied at a flat rate may be up to 100 percent for business taxes that are \$100 or less; 50 percent for business taxes that are between \$101 and \$300; and 25 percent for business taxes that are more than \$300. Beginning October 1, 1982, the increase may not exceed 25 percent for taxes levied at graduated or per unit rates. Authority to increase business taxes does not apply to licenses or receipts granted to any utility franchised by the county for which a franchise fee is paid.

(c) A receipt is not valid for more than 1 year, and all receipts expire on September 30 of each year, except as otherwise provided by law.

(2) Any receipt may be transferred to a new owner, when there is a bona fide sale of the business, upon payment of a transfer fee of up to 10 percent of the annual business tax, but not less than \$3 nor more than \$25, and presentation of the original receipt and evidence of the sale.

(3) Upon written request and presentation of the original receipt, any receipt may be transferred from one location to another location in the same county upon payment of a transfer fee of up to 10 percent of the annual business tax, but not less than \$3 nor more than \$25.

(4) The revenues derived from the business tax, exclusive of the costs of collection and any credit given for municipal business taxes, shall be apportioned between the unincorporated area of the county and the incorporated municipalities located therein by a ratio derived by dividing their respective populations by the population of the county. This subsection does not apply to counties that have established a new rate structure under s. 205.0535.

(5) The revenues so apportioned shall be sent to the governing authority of each municipality, according to its ratio, and to the governing authority of the county, according to the ratio of the unincorporated area, within 15 days following the month of receipt. This subsection does not apply to counties that have established a new rate structure under s. 205.0535.

(6)(a) Each county, as defined in s. 125.011(1), or any county adjacent thereto may levy and collect, by an ordinance enacted by the governing body of the county, an additional business tax up to 50 percent of the appropriate business tax imposed under subsection (1).

(b) Subsections (4) and (5) do not apply to any revenues derived from the additional tax imposed under this subsection. Proceeds from the additional business tax must be placed in a separate

interest-earning account, and the governing body of the county shall distribute this revenue, plus accrued interest, each fiscal year to an organization or agency designated by the governing body of the county to oversee and implement a comprehensive economic development strategy through advertising, promotional activities, and other sales and marketing techniques.

(c) An ordinance that levies an additional business tax under this subsection may not be adopted after January 1, 1995.

(7) Notwithstanding any other provisions of this chapter, the revenue received from a county business tax may be used for overseeing and implementing a comprehensive economic development strategy through advertising, promotional activities, and other sales and marketing techniques.

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 1, ch. 77-55; s. 54, ch. 80-274; s. 1, ch. 82-72; s. 1, ch. 85-209; s. 1, ch. 86-298; s. 3, ch. 93-180; s. 12, ch. 97-95; s. 6, ch. 2006-152.

**205.042 Levy; municipalities.**--The governing body of an incorporated municipality may levy, by appropriate resolution or ordinance, a business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction. However, the governing body must first give at least 14 days' public notice between the first and last reading of the resolution or ordinance by publishing the notice in a newspaper of general circulation within its jurisdiction as defined by law. The notice must contain the proposed classifications and rates applicable to the business tax. The business tax may be levied on:

(1) Any person who maintains a permanent business location or branch office within the municipality, for the privilege of engaging in or managing any business within its jurisdiction.

(2) Any person who maintains a permanent business location or branch office within the municipality, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

(3) Any person who does not qualify under subsection (1) or subsection (2) and who transacts any business or engages in any occupation or profession in interstate commerce, if the business tax is not prohibited by s. 8, Art. I of the United States Constitution.

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 4, ch. 93-180; s. 7, ch. 2006-152.

**205.043 Conditions for levy; municipalities.**--

(1) The following conditions are imposed on the authority of a municipal governing body to levy a business tax:

(a) The tax must be based upon reasonable classifications and must be uniform throughout any class.

(b) Unless the municipality implements s. 205.0535 or adopts a new business tax ordinance under s. 205.0315, a business tax levied under this subsection may not exceed the rate in effect in the municipality for the year beginning October 1, 1971; however, beginning October 1, 1980, the municipal governing body may increase business taxes authorized by this chapter. The amount of the increase above the tax rate levied on October 1, 1971, for taxes levied at a flat rate may be up to 100 percent for business taxes that are \$100 or less; 50 percent for business taxes that are between \$101 and \$300; and 25 percent for business taxes that are more than \$300. Beginning October 1, 1982, an increase may not exceed 25 percent for taxes levied at graduated or per unit rates. Authority to increase business taxes does not apply to receipts or licenses granted to any utility franchised by the municipality for which a franchise fee is paid.

(c) A receipt is not valid for more than 1 year and all receipts expire on September 30 of each year, except as otherwise provided by law.

(2) Any business receipt may be transferred to a new owner, when there is a bona fide sale of the business, upon payment of a transfer fee of up to 10 percent of the annual tax, but not less than \$3 nor more than \$25, and presentation of the original receipt and evidence of the sale.

(3) Upon written request and presentation of the original receipt, any receipt may be transferred from one location to another location in the same municipality upon payment of a transfer fee of up to 10 percent of the annual tax, but not less than \$3 nor more than \$25.

(4) If the governing body of the county in which the municipality is located has levied a business tax or subsequently levies such a tax, the collector of the county tax may issue the receipt and collect the tax thereon.

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 1, ch. 77-55; s. 55, ch. 80-274; s. 2, ch. 82-72; s. 5, ch. 93-180; s. 8, ch. 2006-152.

**205.045 Transfer of administrative duties.**--The governing body of a municipality that levies a business tax may request that the county in which the municipality is located issue the municipal receipt and collect the tax thereon. The governing body of a county that levies a business tax may request that municipalities within the county issue the county receipt and collect the tax thereon. Before any local government may issue receipts on behalf of another local government, appropriate agreements must be entered into by the affected local governments.

**History.**--s. 6, ch. 93-180; s. 9, ch. 2006-152.

**205.053 Business tax receipts; dates due and delinquent; penalties.--**

(1) All business tax receipts shall be sold by the appropriate tax collector beginning July 1 of each year, are due and payable on or before September 30 of each year, and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Provisions for partial receipts may be made in the resolution or ordinance authorizing such receipts. Receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10 percent for the month of October, plus an additional 5 percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed 25 percent of the business tax for the delinquent establishment.

(2) Any person who engages in or manages any business, occupation, or profession without first obtaining a local business tax receipt, if required, is subject to a penalty of 25 percent of the tax due, in addition to any other penalty provided by law or ordinance.

(3) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.

**History.**--s. 1, ch. 72-306; s. 1, ch. 73-144; s. 40, ch. 83-204; s. 7, ch. 93-180; s. 10, ch. 2006-152; s. 1, ch. 2007-97.

**1205.0532 Revocation or refusal to renew; doing business with Cuba.**--Any local governing authority issuing a business tax receipt to any individual, business, or entity under this chapter may revoke or refuse to renew such receipt if the individual, business, or entity, or parent company of such individual, business, or entity, is doing business with Cuba.

**History.**--s. 4, ch. 93-218; s. 11, ch. 2006-152.

**<sup>1</sup>Note.**--Section 6, ch. 93-218, provides that "[t]he Governor may waive the requirements of this act in the event that there is a collapse of the existing regime in Cuba and there is a need for immediate aid to Cuba prior to the convening of the Legislature or for humanitarian reasons as a result of a national disaster on the Island of Cuba."

**205.0535 Reclassification and rate structure revisions.--**

(1) By October 1, 2008, any municipality that has adopted by ordinance a local business tax after October 1, 1995, may by ordinance reclassify businesses, professions, and occupations and may establish new rate structures, if the conditions specified in subsections (2) and (3) are met. A person who is engaged in the business of providing local exchange telephone service or a pay telephone service in a municipality or in the unincorporated area of a county and who pays the business tax under the category designated for telephone companies or a pay telephone service provider certified pursuant to s. 364.3375 is deemed to have but one place of business or business location in each municipality or unincorporated area of a county. Pay telephone service providers may not be assessed a business tax on a per-instrument basis.

(2) Before adopting a reclassification and revision ordinance, the municipality or county must establish an equity study commission and appoint its members. Each member of the study commission must be a representative of the business community within the local government's jurisdiction. Each equity study commission shall recommend to the appropriate local government a classification system and rate structure for business taxes.

(3)(a) After the reclassification and rate structure revisions have been transmitted to and considered by the appropriate local governing body, it may adopt by majority vote a new business tax ordinance. Except that a minimum tax of up to \$25 is permitted, the reclassification may not increase the tax by more than the following: for receipts costing \$150 or less, 200 percent; for receipts costing more than \$150 but not more than \$500, 100 percent; for receipts costing more than \$500 but not more than \$2,500, 75 percent; for receipts costing more than \$2,500 but not more than \$10,000, 50 percent; and for receipts costing more than \$10,000, 10 percent; however, in no case may the tax on any receipt be increased more than \$5,000.

(b) The total annual revenue generated by the new rate structure for the fiscal year following the fiscal year during which the rate structure is adopted may not exceed:

1. For municipalities, the sum of the revenue base and 10 percent of that revenue base. The revenue base is the sum of the business tax revenue generated by receipts issued for the most recently completed local fiscal year or the amount of revenue that would have been generated from the authorized increases under s. 205.043(1)(b), whichever is greater, plus any revenue received from the county under s. 205.033(4).

2. For counties, the sum of the revenue base, 10 percent of that revenue base, and the amount of revenue distributed by the county to the municipalities under s. 205.033(4) during the most recently completed local fiscal year. The revenue base is the business tax revenue generated by receipts issued for the most recently completed local fiscal year or the amount of revenue that would have been generated from the authorized increases under s. 205.033(1)(b), whichever is greater, but may not include any revenues distributed to municipalities under s. 205.033(4).

(c) In addition to the revenue increases authorized by paragraph (b), revenue increases attributed to the increases in the number of receipts issued are authorized.

(4) After the conditions specified in subsections (2) and (3) are met, municipalities and counties may, every other year thereafter, increase or decrease by ordinance the rates of business taxes by up to 5 percent. An increase, however, may not be enacted by less than a majority plus one vote of

the governing body. Nothing in this chapter shall be construed to prohibit a municipality or county from decreasing or repealing any business tax authorized under this chapter.

(5) A receipt may not be issued unless the federal employer identification number or social security number is obtained from the person to be taxed.

**History.**--s. 8, ch. 93-180; s. 60, ch. 98-419; s. 12, ch. 2006-152; s. 2, ch. 2007-97.

**205.0536 Distribution of county revenues.**--A county that establishes a new rate structure under s. 205.0535 shall retain all business tax revenues collected from businesses, professions, or occupations whose places of business are located within the unincorporated portions of the county. Any business tax revenues collected by a county that establishes a new rate structure under s. 205.0535 from businesses, professions, or occupations whose places of business are located within a municipality, exclusive of the costs of collection, must be apportioned between the unincorporated area of the county and the incorporated municipalities located therein by a ratio derived by dividing their respective populations by the population of the county. As used in this section, the term "population" means the latest official state estimate of population certified under s. 186.901. The revenues so apportioned shall be sent to the governing authority of each municipality, according to its ratio, and to the governing authority of the county, according to the ratio of the unincorporated area, within 15 days after the month of receipt.

**History.**--s. 9, ch. 93-180; s. 13, ch. 2006-152.

**205.0537 Vending and amusement machines.**--The business premises where a coin-operated or token-operated vending machine that dispenses products, merchandise, or services or where an amusement or game machine is operated must assure that any required municipal or county business tax receipt for the machine is secured. The term "vending machine" does not include coin-operated telephone sets owned by persons who are in the business of providing local exchange telephone service and who pay the business tax under the category designated for telephone companies in the municipality or county or a pay telephone service provider certified pursuant to s. 364.3375. The business tax for vending and amusement machines must be assessed based on the highest number of machines located on the business premises on any single day during the previous receipted year or, in the case of new businesses, be based on an estimate for the current year. Replacement of one vending machine with another machine during a receipted year does not affect the tax assessment for that year, unless the replacement machine belongs to a business tax classification that requires a higher tax rate. For the first year in which a municipality or county assesses a business tax on vending machines, each business owning machines located in the municipality or county must notify the municipality or county, upon request, of the location of such machines. Each business owning machines must provide notice of the provisions of this section to each affected business premises where the machines are located. The business premises must secure the receipt if it is not otherwise secured.

**History.**--s. 10, ch. 93-180; s. 14, ch. 2006-152.

**205.054 Business tax; partial exemption for engaging in business or occupation in enterprise zone.**--

(1) Notwithstanding the provisions of s. 205.033(1)(a) or s. 205.043(1)(a), the governing body of a county or municipality may authorize by appropriate resolution or ordinance, adopted pursuant to the procedure established in s. 205.032 or s. 205.042, the exemption of 50 percent of the business tax levied for the privilege of engaging in or managing any business, profession, or occupation in the respective jurisdiction of the county or municipality when such privilege is exercised at a permanent business location or branch office located in an enterprise zone.

(2) Such exemption applies to each classification for which a business tax receipt is required in the jurisdiction. Classifications shall be the same in an enterprise zone as elsewhere in the jurisdiction.

Each county or municipal business tax receipt issued with the exemption authorized in this section shall be in the same general form as the other county or municipal business tax receipts and shall expire at the same time as those other receipts expire as fixed by law. Any receipt issued with the exemption authorized in this section is nontransferable. The exemption authorized in this section does not apply to any penalty authorized in s. 205.053.

(3) Each tax collecting authority of a county or municipality which provides the exemption authorized in this section shall issue to each person who may be entitled to the exemption a receipt pursuant to the provisions contained in this section. Before a receipt with such exemption is issued to an applicant, the tax collecting authority must, in each case, be provided proof that the applicant is entitled to such exemption. Such proof shall be made by means of a statement filed under oath with the tax collecting authority, which statement indicates that the permanent business location or branch office of the applicant is located in an enterprise zone of a jurisdiction which has authorized the exemption permitted in this section.

(4) Any receipt obtained with the exemption authorized in this subsection by the commission of fraud upon the issuing authority is void. Any person who has fraudulently obtained such exemption and thereafter engages, under color of the receipt, in any business, profession, or occupation requiring the business tax receipt is subject to prosecution for engaging in a business, profession, or occupation without having the required receipt under the laws of the state.

(5) If an area nominated as an enterprise zone pursuant to s. 290.0055 has not yet been designated pursuant to s. 290.0065, the governing body of a county or municipality may enact the appropriate ordinance or resolution authorizing the exemption permitted in this section; however, such ordinance or resolution will not be effective until such area is designated pursuant to s. 290.0065.

(6) This section expires on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act; and a receipt may not be issued with the exemption authorized in this section for any period beginning on or after that date.

**History.**--s. 32, ch. 84-356; s. 46, ch. 87-224; s. 70, ch. 94-136; s. 19, ch. 2005-287; s. 15, ch. 2006-152.

**205.063 Exemptions; motor vehicles.**--Vehicles used by any person receipted under this chapter for the sale and delivery of tangible personal property at wholesale or retail from his or her place of business on which a business tax is paid may not be construed to be separate places of business, and a business tax may not be levied on such vehicles or the operators thereof as salespersons or otherwise by a county or incorporated municipality, any other law to the contrary notwithstanding.

**History.**--s. 3, ch. 72-306; s. 1, ch. 73-144; s. 1056, ch. 95-147; s. 16, ch. 2006-152.

**205.064 Farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, and tropical fish farm products; certain exemptions.**--

(1) A local business tax receipt is not required of any natural person for the privilege of engaging in the selling of farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, or tropical fish farm products, or products manufactured therefrom, except intoxicating liquors, wine, or beer, when such products were grown or produced by such natural person in the state.

(2) A wholesale farmers' produce market may pay a tax of not more than \$200 for a receipt that will entitle the market's stall tenants to engage in the selling of agricultural and horticultural products therein, in lieu of such tenants being required to obtain individual local business tax receipts to so engage.

**History.**--s. 1, ch. 74-271; s. 2, ch. 87-367; s. 17, ch. 2006-152.

**205.065 Exemption; nonresident persons regulated by the Department of Business and Professional Regulation.**--If any person engaging in or managing a business, profession, or occupation regulated by the Department of Business and Professional Regulation has paid a business tax for the current year to the county or municipality in the state where the person's permanent business location or branch office is maintained, no other local governing authority may levy a business tax, or any registration or regulatory fee equivalent to the business tax, on the person for performing work or services on a temporary or transitory basis in another municipality or county. Work or services performed in a place other than the county or municipality where the permanent business location or branch office is maintained may not be construed as creating a separate business location or branch office of that person for the purposes of this chapter. Any properly licensed contractor asserting an exemption under this section who is unlawfully required by the local governing authority to pay a business tax, or any registration or regulatory fee equivalent to a business tax, has standing to challenge the propriety of the local government's actions, and the prevailing party in such a challenge is entitled to recover a reasonable attorney's fee.

**History.**--s. 32, ch. 92-203; s. 11, ch. 94-218; s. 1484, ch. 95-147; s. 6, ch. 99-254; s. 18, ch. 2006-152.

**205.162 Exemption allowed certain disabled persons, the aged, and widows with minor dependents.**--

(1) All disabled persons physically incapable of manual labor, widows with minor dependents, and persons 65 years of age or older, with not more than one employee or helper, and who use their own capital only, not in excess of \$1,000, may engage in any business or occupation in counties in which they live without being required to pay a business tax. The exemption provided by this section shall be allowed only upon the certificate of the county physician, or other reputable physician, that the applicant claiming the exemption is disabled, the nature and extent of the disability being specified therein, and in case the exemption is claimed by a widow with minor dependents, or a person over 65 years of age, proof of the right to the exemption shall be made. Any person entitled to the exemption provided by this section shall, upon application and furnishing of the necessary proof as aforesaid, be issued a receipt which shall have plainly stamped or written across the face thereof the fact that it is issued under this section, and the reason for the exemption shall be written thereon.

(2) Neither this nor any other law exempts any person from the payment of any amount required by law for the issuance of a license to sell intoxicating liquors or malt and vinous beverages.

**History.**--s. 1, ch. 67-433; s. 1, ch. 85-159; s. 19, ch. 2006-152.

**205.171 Exemptions allowed disabled veterans of any war or their unremarried spouses.**--

(1) Any bona fide, permanent resident elector of the state who served as an officer or enlisted person during any of the periods specified in s. 1.01(14) in the Armed Forces of the United States, National Guard, or United States Coast Guard or Coast Guard Reserve, or any temporary member thereof, who has actually been, or may hereafter be, reassigned by the air force, army, navy, coast guard, or marines to active duty during any war, declared or undeclared, armed conflicts, crises, etc., who was honorably discharged from the service of the United States, and who at the time of his or her application for a business tax receipt is disabled from performing manual labor shall, upon sufficient identification, proof of being a permanent resident elector in the state, and production of an honorable discharge from the service of the United States:

(a) Be granted a receipt to engage in any business or occupation in the state which may be carried on mainly through the personal efforts of the receipt holder as a means of livelihood and for which the state license or county or municipal receipt does not exceed the sum of \$50 for each without payment of any business tax otherwise provided for by law; or

(b) Be entitled to an exemption to the extent of \$50 on any receipt to engage in any business or occupation in the state which may be carried on mainly through the personal efforts of the receiptholder as a means of livelihood when the state license or county or municipal receipt for such business or occupation is more than \$50. The exemption shall extend to and include the right of the receiptholder to operate an automobile-for-hire of not exceeding five-passenger capacity, including the driver, when such automobile is owned or contracted to be purchased by the receiptholder and is being operated by him or her as a means of livelihood and that the proper business tax for the operation of such motor vehicle for private use has been applied for and attached to the motor vehicle and the proper fees paid by the receiptholder.

(2) When such person applies for a receipt to conduct any business or occupation for which the county or municipal business tax exceeds \$50, the remainder of such tax in excess of \$50 shall be paid in cash.

(3) Each tax collecting authority of this state and of each county and each municipality shall issue to such persons as may be entitled hereunder a receipt pursuant to the foregoing provision and subject to the conditions thereof. Such receipt when issued shall be marked across the face "Veterans Exempt Receipt"--"Not Transferable." Before issuing the receipt, proof shall be duly made that the applicant is entitled under this law to receive the exemption. The proof may be made by establishing to the satisfaction of such tax collecting authority by means of certificate of honorable discharge or certified copy thereof that the applicant is a veteran within the purview of this section and by exhibiting:

(a) A certificate of government-rated disability to an extent of 10 percent or more;

(b) The affidavit or testimony of a reputable physician who personally knows the applicant and who makes oath that the applicant is disabled from performing manual labor as a means of livelihood;

(c) The certificate of the veteran's service officer of the county in which applicant lives, duly executed under the hand and seal of the chief officer and secretary thereof, attesting the fact that the applicant is disabled and entitled to receive a receipt within the meaning and intent of this section;

(d) A pension certificate issued to him or her by the United States by reason of such disability; or

(e) Such other reasonable proof as may be required by the tax collecting authority to establish the fact that such applicant is disabled.

All receipts issued under this section shall be in the same general form as other state, county, and municipal licenses and shall expire at the same time as such other licenses are fixed by law to expire.

(4) Receipts obtained by the commission of fraud upon any issuing authority are void. Any person who has fraudulently obtained a receipt, or who has fraudulently received any transfer of a receipt issued to another, and has thereafter engaged in any business or occupation requiring a receipt under color thereof is subject to prosecution for engaging in a business or occupation without having the required receipt under the laws of the state. Such receipt may not be issued in any county other than the county where the veteran is a resident citizen elector, unless such veteran produces a certificate of the tax collector of his or her home county to the effect that no exemption from taxation has been granted to such veteran in his or her home county under this section.

(5) Neither this nor any other law exempts any person from the payment of any amount required by law for the issuance of a license to sell intoxicating liquors or malt and vinous beverages.

(6) The unremarried spouse of a deceased disabled veteran of any war in which the United States Armed Forces participated is entitled to the same exemptions as the disabled veteran.

**History.**--s. 1, ch. 67-433; s. 38, ch. 71-355; s. 1, ch. 77-163; s. 93, ch. 79-400; s. 2, ch. 85-159; s. 1057, ch. 95-147; s. 32, ch. 95-280; s. 20, ch. 2006-152.

**205.191 Religious tenets; exemption.**--This chapter does not require a business tax receipt for practicing the religious tenets of any church.

**History.**--s. 1, ch. 67-433; s. 21, ch. 2006-152.

**205.192 Charitable, etc., organizations; occasional sales, fundraising; exemption.**--A business tax receipt is not required of any charitable, religious, fraternal, youth, civic, service, or other similar organization that makes occasional sales or engages in fundraising projects that are performed exclusively by the members, and the proceeds derived from the activities are used exclusively in the charitable, religious, fraternal, youth, civic, and service activities of the organization.

**History.**--s. 1, ch. 70-400; s. 22, ch. 2006-152.

**205.193 Mobile home setup operations; local business tax receipt prohibited; exception.**--A county, municipality, or other unit of local government may not require a licensed mobile home dealer or a licensed mobile home manufacturer, or an employee of a dealer or manufacturer, who performs setup operations as defined in s. 320.822 to be a business tax receipt holder to engage in such operations. However, such dealer or manufacturer must obtain a local receipt for his or her permanent business location or branch office, which receipt shall not require for its issuance any conditions other than those required by chapter 320.

**History.**--s. 1, ch. 79-120; s. 1058, ch. 95-147; s. 23, ch. 2006-152.

**205.194 Prohibition of local business tax receipt without exhibition of state license or registration.**--

(1) Any person applying for or renewing a local business tax receipt for the period beginning October 1, 1985, to practice any profession regulated by the Department of Business and Professional Regulation, or any board or commission thereof, must exhibit an active state certificate, registration, or license, or proof of copy of the same, before such local receipt may be issued. Thereafter, only persons applying for the first time for a receipt must exhibit such certification, registration, or license.

(2) The Department of Business and Professional Regulation shall, by August 1 of each year, supply to the local official who issues local business tax receipts a current list of professions it regulates and information regarding those persons for whom receipts should not be renewed due to the suspension, revocation, or inactivation of such person's state license, certificate, or registration. The official who issues local business tax receipts shall not renew such license unless such person can exhibit an active state certificate, registration, or license.

(3) This section shall not apply to s. 489.113, s. 489.117, s. 489.119, s. 489.131, s. 489.511, s. 489.513, s. 489.521, or s. 489.537.

**History.**--s. 34, ch. 85-175; s. 1, ch. 85-278; s. 12, ch. 94-218; s. 24, ch. 2006-152.

**205.196 Pharmacies and pharmacists.**--A state, county, or municipal licensing agency may not issue a business tax receipt to operate a pharmacy unless the applicant produces a current permit issued by the Board of Pharmacy; however, no such receipt is required to practice the profession of

pharmacy.

**History.**--s. 2, ch. 79-226; s. 25, ch. 2006-152.

**205.1965 Assisted living facilities.**--A county or municipality may not issue a business tax receipt for the operation of an assisted living facility pursuant to chapter 429 without first ascertaining that the applicant has been licensed by the Agency for Health Care Administration to operate such facility at the specified location or locations. The Agency for Health Care Administration shall furnish to local agencies responsible for issuing business tax receipts sufficient instructions for making the required determinations.

**History.**--s. 16, ch. 87-371; s. 3, ch. 95-210; s. 20, ch. 99-8; s. 26, ch. 2006-152; s. 9, ch. 2006-197.

**205.1967 Prerequisite for issuance of pest control business tax receipt.**--A municipality or county may not issue a business tax receipt to any pest control business regulated under chapter 482 unless a current license has been procured from the Department of Agriculture and Consumer Services for each of its business locations in that municipality or county. Upon presentation of the requisite licenses from the department and the required fee, a business tax receipt shall be issued by the municipality or county in which application is made.

**History.**--s. 1, ch. 59-454; s. 1, ch. 65-295; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 375, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 82-229; ss. 31, 59, ch. 92-203; s. 27, ch. 2006-152.

**Note.**--Former s. 482.081.

**205.1969 Health studios; consumer protection.**--A county or municipality may not issue or renew a business tax receipt for the operation of a health studio pursuant to ss. 501.012-501.019 or ballroom dance studio pursuant to s. 501.143, unless such business exhibits a current license, registration, or letter of exemption from the Department of Agriculture and Consumer Services.

**History.**--s. 4, ch. 93-116; s. 28, ch. 2006-152.

**205.1971 Sellers of travel; consumer protection.**--A county or municipality may not issue or renew a business tax receipt to engage in business as a seller of travel pursuant to part XI of chapter 559 unless such business exhibits a current registration or letter of exemption from the Department of Agriculture and Consumer Services.

**History.**--s. 3, ch. 93-107; s. 7, ch. 95-314; s. 29, ch. 2006-152.

**205.1973 Telemarketing businesses; consumer protection.**--A county or municipality may not issue or renew a business tax receipt for the operation of a telemarketing business under ss. 501.604 and 501.608, unless such business exhibits a current license or registration from the Department of Agriculture and Consumer Services or a current affidavit of exemption.

**History.**--s. 3, ch. 93-235; s. 30, ch. 2006-152.

**205.1975 Household moving services; consumer protection.**--A county or municipality may not issue or renew a business tax receipt for the operation of a mover or moving broker under chapter 507 unless the mover or broker exhibits a current registration from the Department of Agriculture and Consumer Services.

**History.**--s. 16, ch. 2006-4; s. 17, ch. 2007-5.

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## ARTICLE II. CONSTRUCTION STANDARDS

### DIVISION 1. GENERALLY

#### **Sec. 14-31. Adoption of South Florida Building Code; special assessment liens; penalty for delinquency and payment of fees; enforcement procedures; payment of collection costs and attorney's fees.**

Pursuant to the provisions of Dade County Code § 8-1, the South Florida Building Code is the building code of the city. All liens imposed under authority of the South Florida Building Code (either existing or imposed hereafter) shall be imposed as special assessment liens against the subject real property, and shall remain liens equal in rank and dignity with the lien of ad valorem taxes and shall be superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved. Liens imposed under the South Florida Building Code shall bear the maximum rate of interest allowable by law. South Florida Building Code liens shall be enforced by any of the methods provided in F.S. ch. 86; or in the alternative, foreclosure proceedings may be instituted and prosecuted under the provisions applicable to practice, pleading and procedure for the foreclosure of mortgages on real estate set forth in Florida Statutes, or may be foreclosed per F.S. ch. 173; or the collection and enforcement of payment thereof may be accomplished by any other method authorized by law. All costs of lien collection, including reasonable attorney's fees incurred in the collection of unpaid liens and penalties, shall be paid by the owner or occupant of the premises or by the person who caused or maintained the subject violation.

(Code 1964, § 8-1)

#### **Sec. 14-32. Temporary certificates of occupancy.**

No partial or temporary certificate of occupancy shall be issued by the city for any building under construction unless all parking required to serve that portion of the building being occupied on a partial or temporary basis is completed, available and separated by barricades from other areas still under construction.

(Code 1964, § 8-2(c))

#### **Sec. 14-33. Penalty for violation of article.**

(a) Any person who shall violate or fail to comply with any of the provisions of this article or with any of the requirements of this article, shall be brought before the special master of the city. The special master may assess a fine and impose a lien to the maximum allowed by city ordinance and state law; or, in the alternative, the violation may be brought to the county court. Each day such violation shall be permitted to exist shall constitute a separate offense. The owner of any building or premises, or part thereof, where anything in violation of this article shall be placed or shall exist, and any person employed in connection therewith and who has assisted in the commission of any such violation may be guilty of a separate offense and upon conviction fined as provided in this section.

(b) Any person who shall violate or fail to comply with any of the provisions of this article or with any of the requirements thereof shall be subject to a delinquency penalty as specified in

appendix A.

(c) A special master, appointed as provided in article II of chapter 30 may either revoke or temporarily suspend the business license of any person in accordance with the procedures set forth in chapters 18 and 102 of this Code when it is determined that the licensee is conducting business from premises that do not possess a valid and current certificate of occupancy and/or certificate of use as may be required by city or county laws.

(Code 1964, § 8-5; Ord. No. 92-2797, § 1(8-5), 9-16-92; Ord. No. 92-2805, § 1, 10-8-92; Ord. No. 93-2898, § 1, 12-15-93)

### **Sec. 14-34. Grounds for suspension or revocation.**

The special master shall either revoke or temporarily suspend the certificate of use of any owner/applicant where it is determined by the special master that:

- (1) The owner/applicant has misrepresented or failed to disclose material information required by this article to be included in the certificate of use application form.
- (2) The owner/applicant, as part of the owner/applicant's business activity within the city, is engaged in conduct that is an actual threat to the public health, welfare or safety.
- (3) The owner/applicant is conducting business from premises that do not possess a valid and current certificate of occupancy as may be required by city or county laws.
- (4) Habitual conduct has occurred at the owner/applicant's premises that violates city, county or state law.
- (5) The certificate of use issued by the city depended upon the owner/applicant's compliance with specific provisions of federal, state, city or county law, and the owner/applicant has violated such specific provisions of law.
- (6) The owner/applicant has violated any provision of this article and has failed or refused to cease or correct the violation after notification thereof.
- (7) The owner/applicant, as part of the owner/applicant's business activity within the city, knowingly lets, leases or gives space for unlawful gambling purposes at the owner/applicant's premises.
- (8) The owner/applicant, within the preceding five years in this state, any other state, or the United States, has been adjudicated guilty of or forfeited a bond when charged with soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, or illegally dealing in narcotics.
- (9) The premises have been condemned by the local health authority for failure to meet sanitation standards or the premises have been condemned by the local authority because the premises are unsafe or unfit for human habitation.
- (10) The owner/applicant's premises have been found to constitute a public nuisance by the nuisance abatement board.

The suspension or revocation shall be of the certificate of use in effect at the date of such suspension or revocation, even though it may have been issued to an owner/applicant other than the person who held the certificate of use at the time the cause for such suspension or revocation arose. No certificate of use shall be suspended or revoked under this section for a period of more than 12 months. No new certificate of use shall be issued to the owner/applicant, or to any other firm in which the owner/applicant or any of its general partners, limited partners or shareholders owning 20 percent or more of its shares, or its agents or employees when such persons are actively involved in the business under revocation/suspension and had knowledge of the violations which caused the suspension/regulation is interested, for any premises during the term of such suspension or revocation.

At the end of such period of suspension or revocation, the owner/applicant may apply for a new certificate of use.

(Code 1964, § 8-6; Ord. No. 92-2797, § 1(8-6), 9-16-92; Ord. No. 92-2805, § 2, 10-8-92)

### **Sec. 14-35. Standards; rule-making authority.**

A suspension not exceeding six months shall be imposed in cases where the owner/applicant's violation is shown to be inadvertent and can be promptly corrected by the owner/applicant; a revocation of the certificate of use shall be imposed in all other cases. The city manager shall have the authority to adopt written administrative rules to enforce the provisions of this article, which rules shall have the force and effect of city law provided the rules are approved by the city attorney and ratified by the city commission.

(Code 1964, § 8-7; Ord. No. 92-2797, § 1(8-7), 9-16-92)

### **Sec. 14-36. Notice of violation; emergency action.**

(a) If the city manager or his designee believes that an owner/applicant has engaged or is engaged in conduct warranting the suspension or revocation of a certificate of use, he shall serve the owner/applicant by certified mail or hand delivery, at his business address as disclosed in his application for the certificate of use, a written administrative complaint, which affords reasonable notice to the owner/applicant of facts or conduct that warrant the intended action. The complaint shall state what is required to be done to eliminate the violation if any.

(b) The owner/applicant shall be given adequate opportunity to request a prior administrative hearing as specified in section 14-37, unless the city manager finds that an emergency condition exists involving serious danger to public health, safety or welfare, in which case advance notice and hearing shall not be required. In the case of an emergency suspension or revocation, the owner/applicant shall immediately be advised of the city manager's action and afforded a prompt post-suspension or revocation hearing in accordance with section 14-38.

(Code 1964, § 8-8; Ord. No. 92-2797, § 1(8-8), 9-16-92)

### **Sec. 14-37. Hearing when owner/applicant or permittee fails to comply with notice or when requested by aggrieved owner/applicant.**

If an owner/applicant or permittee fails to comply with any notice issued as provided in section 14-36, the city manager or his designee may issue an order in writing to the owner/applicant by certified mail or hand delivery notifying him to appear at an administrative hearing before a special master to be held at a time to be fixed in such order, which date shall be not less than five days after service thereof. Except as provided in section 14-38(b), an administrative hearing may also be requested by an owner/applicant aggrieved by a decision regarding denial of a certificate of use, determination of fees/penalties due, and/or warning of potential suspension/revocation. The request must be in writing and filed in the city manager's office within ten days of receipt of the decision complained of. The request must specify the decision and the owner/applicant's grievance and must be accompanied by a fee as specified in appendix A to defray expenses of the hearing. The fee will be refunded if the owner/applicant prevails in the appeal.

(Code 1964, § 8-9; Ord. No. 92-2797, § 1(8-9), 9-16-92; Ord. No. 92-2805, § 3, 10-8-92)

### **Sec. 14-38. Hearing procedures; enforcement of orders.**

(a) *Review by special master.*

(1) Other than as set forth in subsection (b) of this section, the special master shall give written notice of the time and place of the hearing to the owner/applicant by certified mail or hand delivery and to the city attorney's office.

(2) The proceedings shall be informal but shall afford the owner/applicant the right to testify in his own defense, present witnesses, be represented by legal counsel, submit relevant evidence, cross examine witnesses, and object to evidence. The proceedings shall be recorded and minutes kept by the city. Any owner/applicant requiring verbatim minutes for judicial review may arrange for the services of a court reporter at his own expense.

(3) Within ten days of the close of the hearing the special master shall render his decision in writing determining whether or not the owner/applicant's certificate of use shall be revoked or suspended or denied, or other action taken or continued, as the case may be and stating his reasons and findings of fact.

(4) The special master shall file his findings with the city clerk and shall send a true and correct copy of his order by certified mail, return receipt requested, or by hand delivery to the business address listed on the certificate of use or to any such other address as the owner/applicant shall designate in writing.

(b) *Board of adjustment review.* Denial of a certificate of use for lack of proper zoning shall be appealable to the board of adjustment pursuant to section 16-7.1 of Zoning Ordinance 89-2665. All appeals must be submitted to the board within 15 days of the date of the denial.

(c) *Administrative rulings as final.* The special master board of adjustment's findings shall constitute the final administrative action of the city for purposes of judicial review under state law.

(d) *Enforcement.* If an owner/applicant fails to seek timely appellate review of an order of the special master/board of adjustment, or to comply timely with such order, the city manager's designee may pursue enforcement procedures as set forth in section 14-33. Business closings required by suspension/revocation orders may be enforced by the city's police department and the costs for the enforcement action shall be placed as a lien against the owner/applicant's real and personal property.

(Code 1964, § 8-10; Ord. No. 92-2797, § 1(8-10), 9-16-92; Ord. No. 92-2805, § 4, 10-8-92)

Secs. 14-39--14-60. Reserved.

## **DIVISION 2. PERMIT FEES**

### **Sec. 14-61. Permit fees, generally.**

(a) *Levied.* Permits, inspections and other fees of the building services department of the city are hereby levied and imposed and shall apply to building, plumbing, electrical and mechanical permits and other activities undertaken by that department.

(b) *Double fees.* When work for which a permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay a fee as specified in appendix A, plus a double permit fee as specified in this article. In no event shall the applicant pay less than a fee as specified in appendix A, plus double the amount of the minimum fee as specified for each type of work. The payment of the required fee shall not relieve any person from fully complying

with all of the applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein. The double fee requirement shall be applicable to all sections of the building department as noted herein. For a second offense of doing work without a permit, the permit applicant shall be required to pay twice the double permit fee plus a fee specified in appendix A. For each subsequent offense, the permit applicant shall be required to pay twice the double permit fee plus a fee specified in appendix A.

(c) *Reinspection fees.*

(1) When extra inspection trips are due to work not being ready for inspection at time specified, failure to call for final or other Inspections, or required corrections not being made or completed at time specified, in compliance with F.S. 553.80 (2)(c), after initial inspection and one subsequent reinspection of any project or activity for the same code violation specifically and continuously noted in each rejection, including but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting, ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building Commission, a fee of four times the cost of initial inspection or first reinspection, whichever is greater, for each subsequent reinspection shall be paid. The inspection cost is determined by multiplying the actual time spent by the inspector by the inspection fee hourly rate, as defined in 14-61(h) and as specified in appendix A.

(2) Payment of the reinspection fee shall be required before any subsequent permits will be issued to the person or firm owing same. Further inspections may be refused until payment of reinspection fees has been made.

(d) *Lost plans fee.* When permitted set of plans for new buildings, additions or all other types of projects are lost by the applicants, owners, contractors, or any other representatives of the projects, a recertification fee will be required to review, stamp and approve a new set of plans as a field copy. Such fee shall be based 25 percent of the original building permit fee, with a minimum fee for group R3 occupancy (single-family residence) as specified in appendix A and a minimum fee for all other types of occupancies, dwellings as specified in appendix A.

(e) *Revised plans processing fee.* The charge for plans processing of revisions to plans processed and permitted shall be based on a fee of 30 percent of the original building permit, but shall not exceed a charge as specified in appendix A.

(f) *Lost permit card fee.* After a permit has been issued, if the permit inspection card has been lost, a replacement fee as specified in appendix A shall be charged.

(g) *Special projects fee.* A fee equal to actual staff time and related costs shall be assessed for special projects requiring research by the building services department in order to answer questions proposed by developers, attorneys, realtors, and others in connection with the use and development of properties, or to determine if any existing violations are on the property through a review of departmental records. Such special fees will be levied only for requests outside the scope of normal departmental work. A minimum fee as specified in appendix A shall be charged.

(h) *Inspection fee hourly rate.* The inspection fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the department's total projected expenditures, indirect costs and the resources assigned to the inspection program.

(i) *Plans review fee hourly rate.* The plan review fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the department's total projected expenditures, indirect costs and the resources assigned to the plans review program.

(j) *Plans re-review fee.* When extra plans reviews are due to failure to correct code violation specifically and continuously noted in each rejection, including but not limited to, egress, fire protection, structural stability, energy, accessibility, lighting ventilation, electrical, mechanical, plumbing, and gas systems, or other requirements identified by the rule of the Florida Building

Commission, in compliance with F.S. 553.80 (2)(b), each time after the third such review that plans are rejected for the same code violation, a fee of four times the cost associated with the specific plans review shall be charged. The cost is calculated based on the actual time spent by plans examiners multiplied by the plans review fee hourly rate, as specified in appendix A.

(k) *Expedited plans review fee.* When, at the request of the applicant, expedited plans reviews are provided by the department's outside consultants, the applicant shall pay the actual cost of services invoiced to the department.

(Code 1964, § 8-3(A); Ord. No. 92-2796, § 1(A), 9-16-92; Ord. No. 2003-3425, § 1, 9-18-03)

## **Sec. 14-62. Building permits.**

(a) *Up-front processing fee.*

(1) When the building permit application is received, the applicant shall pay an up-front processing fee as specified in appendix A.

(2) This processing fee is not refundable, but shall be credited toward the final building permit fee. The up-front processing fee, after it is calculated, shall be rounded up to the nearest \$5.00, with a minimum fee set as specified in appendix A.

(3) When the up-front processing fee is larger than the final permit fee, not including surcharges, that up-front processing fee amount shall become the permit fee for that application.

(b) *Refunds, time limitations, cancellations.* The fees charged pursuant to this section, provided the same are for a permit required by section 104.1 of the Florida Building Code, may be refunded by the building official subject to the following:

(1) No refunds shall be made on requests involving:

- a. Permit fees of \$75.00 or less;
- b. Permits revoked by the building official under authority granted by the South Florida Building Code;
- c. Permits canceled by court order;
- d. Permits that have expired; or
- e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department.

(2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.

(3) A full refund less \$75.00 or 30 percent of the permit fee, whichever amount is greater, rounded down to the nearest dollar, shall be granted to a permit holder who requests a refund in writing, provided that:

- a. The permit holder makes a written request prior to the permit expiration date;
- b. A validated copy of the permit be submitted with such request; and
- c. No work as evidenced by any recorded inspection has commenced under such permit.

(4) Where there is a change of contractor involving a permit for which a fee of more than \$50.00 was paid:

- a. The original permit holder:

1. Is not entitled to any refund if the permit has expired or if work, as evidenced by any recorded inspection, has commenced under such permit.

2. Is entitled to a full refund less the up-front processing fee, where the permit has not expired and no work, as evidenced by any recorded inspection, has commenced.

b. The second permit holder shall pay:

1. A full fee if the original permit has expired; or

2. A fee specified in appendix A to cover the cost of transferring the data from the original to the second permit and processing the second permit in instances where work, as evidenced by any recorded inspection, has commenced under the original unexpired permit;

3. A full fee plus a fee as specified in appendix A to cover the transferring and reprocessing costs where no work, as evidenced by any recorded inspection, has commenced under the original unexpired permit.

(5) A fee as specified in appendix A shall be paid by the permit holder who submits a written request for a permit extension as authorized under section 104.5.1.4, Florida Building Code.

(6) Where a permit has become null and void or expires pursuant to section 104.5.1.1, Florida Building Code, and no work, as evidenced by at least one recorded inspection, has been made by the department, a credit of 50 percent of the original permit fee covering the same project and involving the same plans shall be given, provided that a complete reapplication is made within 180 days of the expiration date of the original permit and provided that no refund has been made according to this section. The reapplication must be submitted with the plans and the applicant's validated copy of the original permit. The amount of this fee shall be, at least, equal to or higher than the minimum fee for the trade concerned.

(7) The building official is authorized to charge the fees assessed prior to October 1, 1992, to those applications scheduled for subcontract permits, where the master building permit was issued prior to October 1, 1992, and where written evidence such as a signed and dated copy of the subcontract was entered into prior to October 1, 1992.

(8) The building department director is authorized to charge interest to any amount due when not paid by the due date. The interest rate shall be at the highest legal limit authorized by law, plus collection costs and attorneys fees.

(c) Building permit fees are as prescribed in appendix A.

(Code 1964, § 8-3(B), (D); Ord. No. 92-2796, § 1(B), (D), 9-16-92; Ord. No. 2003-3425, § 1, 9-18-03)

### **Sec. 14-63. Plumbing permits.**

Plumbing permit fees are as prescribed in appendix A.

(Code 1964, § 8-3(E); Ord. No. 92-2796, § 1(E), 9-16-92)

### **Sec. 14-64. Electrical permits.**

Electrical permit fees are as specified in appendix A.

(Code 1964, § 8-3(F); Ord. No. 92-2796, § 1(F), 9-16-92)

### **Sec. 14-65. Mechanical permits.**

Mechanical permit fees are as specified in appendix A.

(Code 1964, § 8-3(G); Ord. No. 92-2796, § 1(G), 9-16-92)

### **Sec. 14-66. Annual facility permit.**

The annual facility permit is adopted as outlined in the Florida Building Code, section 104.1.7 which is applicable only to group F occupancies as defined in the Florida Building Code and the annual fees are:

(1) *Calculation of the initial and final annual facility permit fee.* Each firm or organization which obtains an annual facility permit shall include in their application for such permit the total number of maintenance personnel including helpers and trainees there-under assigned to building, electrical, plumbing or mechanical work. The annual facility fee shall be computed by multiplying the total number of such employees times \$40.00. The minimum annual facility permit fee shall be as specified in appendix A. At the expiration of the annual facility permit the job log shall be submitted to the building department for the calculation and payment of any additional fee due for to the work performed according to the job log. No new annual facility permit shall be issued until the full amount for the prior year have been paid.

(2) *Certificate of occupancy.* In order to obtain a certificate of temporary or permanent occupancy as required by the Florida Building Code, the following original fees shall be paid for the purpose of defraying the costs of the original necessary zoning and building inspections. No refunds shall be made of fees paid for occupancy permits.

a. *Final certificate of occupancy.* Certificate of occupancy fees shall be as specified in appendix A.

b. *Temporary certificate of occupancy.* Temporary certificate of occupancy fees shall be as specified in appendix A. When the final certificate of occupancy is issued, the appropriate final fee charge shall be paid. The certificate of occupancy is the certificate of use for that facility for the first year of operation or part thereof.

c. *Certificate of completion.* Certificate of completion fees for the rehabilitation, remodeling or repairs of structures when a certificate of occupancy is not required, shall be as specified in appendix A.

(3) *Certificate of use.*

a. No new building or premises or part thereof, except one- and two-family residences, shall be occupied until a certificate of use is issued by the city. Certificates of use shall not be issued until the premises have been inspected and found to comply with all requirements of this Code.

1. Apartment buildings, hotels and other multiple residential occupancies containing three or more units and occupied by only residential tenants shall require one certificate of use. Where these occupancies contain commercial activities in addition to residential tenants, an additional certificate of use for each commercial activity contained in the building shall be required.

2. Industrial, office and commercial buildings being occupied by a single tenant shall require one certificate of use. If an industrial, office or commercial building contains more than one tenant, an additional certificate of use shall be required for each unit occupied therein.

b. A certificate of use must be obtained annually. Certificate of use renewal fees are due and payable on June 1 of each year. Any person failing to timely apply for the annual renewal of a certificate of use may be issued a certificate of use only upon payment of a delinquency penalty of ten percent for the month of July or portion thereof and an additional five percent for each month of delinquency thereafter or portion thereof until paid. Renewal payments must be received by the license section prior to the first day of each penalty month to avoid additional penalties.

c. The first certificate of use issued in conjunction with a new building shall be issued at the time when a certificate of occupancy is issued and at no cost. Where individual certificates of use are required, a certificate of use shall be obtained and the charge shall be as established in subsection g. below.

d. As of the effective date of this subsection, all existing buildings or premises subject to this subsection must obtain a certificate of use.

e. Upon the issuance of a certificate of use for a building or premises, an annual inspection will be conducted thereafter to determine that each building or premises complies with all code requirements of the city.

f. In order to obtain a certificate of use, an original fee shall be paid for the purpose of defraying the costs of all the original inspections. An annual renewal fee shall be paid to defray the costs of these annual inspections necessary to determine compliance.

g. The fees for certificate of use shall be as specified in appendix A.

(Code 1964, § 8-3(H); Ord. No. 92-2796, § 1(H), 9-16-92; Ord. No. 92-2797, § 1(H), 9-16-92; Ord. No. 2003-3425, § 1, 9-18-03)

**Editor's note:** Ord. No. 2003-3425, § 1, adopted September 18, 2003, changed the title of § 14-66 from "Premises permit" to "Annual facility permit." The historical notation has been preserved for reference purposes.

### **Sec. 14-67. Forty-year building recertification program.**

(a) There shall be a fee per building as specified in appendix A for the 40-year building recertification program as required under the Miami-Dade County Code chapter 8, section 8-11 (f).

(b) If a building has not been recertified in the time limitation established by the ordinance referred to in subsection (a), a late compliance fee as specified in appendix A shall be paid in addition to the regular recertification fee. This fee shall also apply if the building is declared unsafe and posted, and the time limitation for the requirement of a new inspection and report does not apply.

(c) When the building recertification process has not been completed for a particular building within the maximum time limitations established by the county ordinance, a notice of violation shall be issued. If the process is not completed within 45 days of the notice of violation date, the building shall be declared unsafe and vacated at the owner's expense. The building shall remain secured while vacated. If the recertification is not complete within 90 days of the date when the building was declared unsafe, a new inspection report with a new fee as specified in appendix A

shall be processed before the building can be declared safe for occupancy.

(Code 1964, § 8-3(I); Ord. No. 92-2796, § 1(I), 9-16-92; Ord. No. 2003-3425, § 1, 9-18-03)

#### **Sec. 14-68. Occupant content sign.**

There shall be a fee as specified in appendix A for the processing of an occupant content sign as specified in Florida Building Code section 1003.

(Code 1964, § 8-3(J); Ord. No. 92-2796, § 1(J), 9-16-92; Ord. No. 2003-3425, § 1, 9-18-03)

#### **Sec. 14-69. Employee training, education, safety and technology enhancements.**

A surcharge to building, electrical, mechanical, plumbing and demolition permits will be added for training, education and safety of the building department employees, and to procure and implement the latest technologies available for enhancement of services provided by the department, according to the schedule specified in appendix A.

(Code 1964, § 8-3(K); Ord. No. 92-2796, § 1(K), 9-16-92; Ord. No. 2003-3425, § 1, 9-18-03)

**Editor's note:** Ord. No. 2003-3425, § 1, adopted September 18, 2003, changed the title of § 14-69 from "Employee training, education and safety" to "Employee training, education, safety, and technology enhancements." The historical notation has been preserved for reference purposes.

#### **Sec. 14-70. General information.**

This section contains a list of other fees collected by the building department for other departments or agencies. Specific amounts are given in appendix A.

- (1) A fee will be added to building permits for the state to study building code requirements for radon gas.
- (2) A surcharge will be added to building permits for the code compliance program established by the county.
- (3) A surcharge to the building permits will be added when processing marine structures according to a schedule established by city ordinance.
- (4) A surcharge to the building permits will be added for the fire safety process according to a schedule established by city ordinance.
- (5) For building permits walk-through process a surcharge will be added for zoning process based on a schedule established by city ordinance.
- (6) A fee shall be charged to any building or structure for which a certificate of occupancy is being issued.
- (7) A sanitation impact fee shall be charged for all building, electrical, plumbing, mechanical and demolition permits.

(Code 1964, § 8-3(L); Ord. No. 92-2796, § 1(L), 9-16-92; Ord. No. 97-3068, § 1(L), 1-8-97; Ord. No. 2003-3425, § 1, 9-18-03)

#### **Sec. 14-71. Temporary structure.**

Notwithstanding any provision of the zoning ordinance, a temporary structure used as

construction offices shall be permitted in conjunction with the construction of a building for which a valid building permit has been issued, subject to the following:

- (1) The use of the temporary structure shall relate directly to the building for which a valid building permit has been issued.
- (2) The temporary structure shall be located on the same lot as the building to which it relates or on a lot within 400 feet of the lot to which it relates.
- (3) The temporary structure shall be permitted only after issuance of a building permit for the building to which the temporary structure relates, and such temporary structure shall be removed upon issuance of a certificate of occupancy for such building, or within 30 days after the building permit for such building expires, whichever comes first.
- (4) Prior to approval of the temporary structure by the building official, a \$2,000.00 cash bond shall be placed on deposit with the city to assure removal of such structure in accordance with the provisions stated in this section.

(Code 1964, § 8-4; Ord. No. 99-3178, § 1, 3-17-99)

Secs. 14-72--14-80. Reserved.

### **DIVISION 3. BUILDING CODE VIOLATIONS**

#### **Sec. 14-81. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Building code* means the South Florida Building Code, adopted in section 14-31, and any other municipal code enacted or adopted as part of the construction codes of the city.

*Certified contractor* means any contractor who possess a certificate of competency issued by the state department of business and professional regulation and who is allowed to contract in any jurisdiction in the state without being required to fulfill the competency requirements of that jurisdiction.

*Locally licensed contractor* means any contractor whose job scope does not substantially correspond to either the job scope of one of the contractor categories defined in F.S. § 489.105(a) through (o), or the job scope of one of the certified categories previously established by the state construction industry licensing board, and who possesses a certificate of competency issued by the Metropolitan Dade County Construction Trades Qualifying Board. A locally licensed contractor may contract only in such jurisdiction.

*Qualifying agent* means a person who possesses the requisite skill, knowledge and experience, and has the responsibility, to supervise, direct, manage and control the contracting activities of a business organization with which he is connected; who has the responsibility to supervise, direct, manage and control construction activities on a job for which he has obtained a building permit; and whose technical and personal qualifications have been determined by investigation and examination by the department of business and professional regulation and/or the Metropolitan Dade County Construction Trades Qualifying Board.

*Registered contractor* means any contractor who has registered with the state department of business and professional regulation pursuant to fulfilling the competency requirements of the Metropolitan Dade County Construction Trades Qualifying Board for which the registration is issued. A registered contractor may contract only in such jurisdiction.

*State construction industry licensing board* means the board that is a part of the department of

business and professional regulation, created to maintain proper standards of construction in the state.

(Ord. No. 97-3091, § 1(8-12(A)), 7-16-97)

**Cross references:** Definitions generally, § 1-2.

**Sec. 14-82. Enumeration and enforcement; citations.**

(a) *Violations.* It shall be a violation of this division for any registered or locally licensed contractor operating within the city to commit any of the following acts or omissions:

- (1) Contract for or to do work outside of the scope of work for which the contractor is authorized to perform.
- (2) Abandon, without legal excuse, a construction project or operation in which a contractor is engaged under contract as a contractor.
- (3) Divert funds or property received for the execution or completion of a specific construction project or operation or for a specific purpose to any other use whatsoever.
- (4) Depart from or disregard in any material respect the plans or specifications of a construction job without the consent of the owner or the owner's duly authorized representative, and the building official, as defined by the South Florida Building Code.
- (5) Willfully disregard or violate any provisions of F.S. ch. 489, the South Florida Building Code or the building code of the city, as presently written and as may be amended from time to time.
- (6) Misrepresent any fact in an application or supporting papers for any permit which is required by the South Florida Building Code or the building code of the city.
- (7) Fail to fulfill contractual obligations in connection with any contract or construction project, including, but not limited to, payment for material furnished or work or services performed.
- (8) Evade or violate any provisions of chapter 10 of the Code of Metropolitan Dade County, which may be evidenced by, but not limited to, one or more of the following:
  - a. Aiding or abetting any person not holding a certificate of competency to evade or violate any of the provisions of this chapter;
  - b. Allowing a certificate of competency to be used by an unauthorized person;
  - c. Obtaining a permit for any work in which the certificate of competency holder does not actually supervise, direct and control the construction or installation covered by such permit; or
  - d. Subcontracting any work to any person not holding a certificate of competency for work involved in the subcontract.
- (9) Do any fraudulent act as a certificate holder by which another is injured.
- (10) Fail to supervise, direct, inspect or control all work on any construction project or operation on which the qualifying agent is engaged.
- (11) Fail to maintain insurance coverage as required or worker's compensation coverage as required by state law.
- (12) Fail to maintain business or financial records as required by chapter 10 of the Code of Metropolitan Dade County.
- (13) Fail to provide the disclosure required under chapter 10 of the Code of

Metropolitan Dade County.

(b) *Enforcement of code violations.*

(1) A code compliance officer, inspector, or official in the building services department may issue a citation for any violation of subsection (a) of this section whenever, based upon personal investigation, the officer, inspector or official has reasonable and probable grounds to believe such violation has occurred. The citation issued shall state:

- a. Time and date of issuance and the time and date of the violation.
- b. Name of the code compliance officer, inspector or official.
- c. Name and address of the contractor or subcontractor to whom the citation is issued.
- d. Title and section number of the code or law that may have been violated.
- e. A brief description of the nature of the purported violation and the facts constituting reasonable cause.
- f. The procedure to be followed in order to pay the civil penalty or to contest the citation.
- g. The applicable civil penalty if the person elects not to contest the citation.

(2) None of the provisions contained in this division shall be considered exclusive; the code compliance officer, inspector or official shall have the option to use any methods provided by code or law to enforce the provisions of the various city codes.

(Ord. No. 97-3091, § 1(8-12(B), (C)), 7-16-97)

**Sec. 14-83. Appeal of citation to special master; unpaid fines to constitute lien; appeal of special master decisions.**

(a) *Notification and conduct of hearings.* Hearings shall be noticed and conducted before the city's special master in accordance with the procedures set forth in chapter 30 and F.S. § 489.127 if the alleged violator elects to contest the citation. The special master, at any hearing, may set a future hearing date. The special master shall attempt to hold hearings no less frequently than once a month, but may schedule for hearings more or less often as demand necessitates. All hearings shall be open to the public. The city clerk shall provide clerical and administrative personnel as may be reasonably required for the proper performance of the special master's duties.

(b) *Requests for postponement of hearing.* The contractor or complainant may request a continuance of hearing before the special master, and such request for continuance shall be allowed according to the following:

- (1) Requests for a continuance of hearing must be made in writing to the clerk of the special master at least five business days before the date set for hearing.
- (2) The first request for a continuance may be administratively granted upon meeting requirements of subsection (b)(1) of this section.
- (3) The second request may be granted by the building director in his discretion if the petitioner can show good cause for such continuance. If the request is denied, appeal of that decision may be made to the special master at the time of hearing and, if the request is granted, the hearing will be rescheduled to the next available hearing.
- (4) Following two continuances, there shall be no further continuances unless approved by the special master.

(5) The special master may decide to hear the case and act in accordance with the powers in this division whenever the registered or locally licensed contractor fails to attend a properly noticed special master hearing without obtaining a continuance provided in this division.

(c) *Recovery of unpaid fines; unpaid fines to constitute lien.* If the alleged violator is found guilty of a violation, the violator shall be held liable for the reasonable costs of the special master hearings and shall be fined in accordance with the procedures set forth in section 30-74. In addition, any fines imposed shall constitute a lien upon any real or personal property of the violator as provided in sections 30-74 and 30-75 and F.S. § 489.127.

(d) *Appeals of special master decisions.* Any aggrieved party may appeal a final decision of the special master in accordance with section 30-77.

(Ord. No. 97-3091, § 2(8-13), 7-16-97)

### Sec. 14-84. Schedule of violation fines.

The following fines shall apply to the citation of building violations as provided in section 14-82:

#### *Metro-Dade County Code Violations*

TABLE INSET:

Section	Violation	Fine
MC 2-103.21	Use of fire hydrant without permit	\$200.00
MC 2-103.21	Use of fire hydrant without meter	100.00
MC 10-3 (a)	No certificate of competency as a master, contractor, subcontractor or qualifying agent	500.00
MC 10-3 (a)	No certificate of competency as a journeyman, maintenance person, installer or other similar tradesman	200.00
MC 10-22 (a)	Contracting for work outside the scope of certificate of competency	500.00
MC 10-22 (b)	Abandonment of job	500.00
MC 10-22 (g)	Failure to fulfill contractual obligations	500.00
MC 10-22 (h)(1)	Aiding and abetting a person not holding a certificate	500.00
MC 10-22 (h)(2)	Allowing a certificate to be used by an unauthorized person	500.00
MC 10-22 (h)(3)	Failure of permit holder to supervise, direct and control a job	500.00
MC 10-22 (h)(4)	Subcontracting work to a person not holding a certificate	500.00
MC 10-22 (j)	Failure to supervise, direct and control all work	500.00
MC 10-	Working outside the scope of the certificate or acting as a	500.00

22.1(a)	contractor	
MC 10-22.1(b)	Departure from or disregard of plans or specifications without consent of the qualifying agent	500.00
MC 10-22.1(d)(1)	Aiding or abetting any person not holding a certificate of competency	500.00
MC 14-58	Violation of standards adopted by this chapter	100.00
MC 14-62	Refusal to allow inspection	100.00
MC 24-11 (1)	Prohibitions against water discharge. It shall be unlawful for any person to throw, drain, run or otherwise discharge into any of the waters of county, or to cause, permit or suffer to be thrown, run, drained or allowed to seep or otherwise be discharged into such water any organic or inorganic water	500.00
MC 24-11 (3)	Discharges affecting water quality. It shall be unlawful for any person to discharge sewage, industrial wastes, cooling water and solid wastes or any other wastes into the waters of this county, including but not limited to surface water, tidal salt water estuaries or groundwater	500.00
MC 24-11 (9)(a)(1) (2)	Sewer discharge limitations. It shall be unlawful for any person to throw, drain, run or otherwise discharge into a sewer designed to carry stormwater, or to cause, permit or suffer to be thrown, run, drained, allowed to seep or otherwise discharge into such sewer	500.00
	All other violations of chapter 10, Metro-Dade County Code	200.00

*South Florida Building Code Violations*

TABLE INSET:

Section	Violation	Fine
SFBC 105.1(A)	Failure to maintain a building or structure in a safe condition; failure to maintain devices or safeguards in good working order	\$100.00
SFBC 105.2	Failure to remove debris, equipment, sheds or materials	100.00
SFBC 105.3, 305.5, 3324	Failure to secure buildings and equipment	100.00
SFBC 201.1(e), 201.3(e)	Failure to comply with lawful stop work order	500.00
SFBC 301	Failure to obtain a permit	100.00
SFBC 304.1	Failure to display a permit card	50.00
SFBC 305.2	Failure to obtain mandatory inspection	250.00
SFBC 307.5	Unlawfully connecting utility service	500.00
SFBC 515	Failure to provide required accessibility in compliance with the Florida Americans with Disabilities Accessibility Implementation Act	50.00
SFBC 3302.2(a)	Exceeding allowable obstruction of the public right-of-way with construction and/or demolition	50.00

SFBC 3302.2(b)	Allowing materials to obstruct fire hydrant, fire alarm box, manhole, catchbasin and restriction of water flow to gutters	50.00
SFBC 3302.3	Failure to provide temporary sidewalk which is properly guarded and not less than five feet wide	50.00
SFBC 3302.4	Illegal obstruction of an alley or portion thereof in connection with construction or demolition	50.00
SFBC 3302.5	Failure to protect sidewalks and pavements from damage incidental to construction work	50.00
SFBC 3306.1(a), (b), (c) and (d)	Failure to provide sidewalk shed	50.00
SFBC 3306.2	Failure to provide construction fence	50.00
SFBC 3318.8	Failure to prevent the falling of paint or debris over public sidewalks or other places of public use	50.00
SFBC 4006.6	Failure to obtain boiler inspections	100.00
SFBC 4611.(a)	Unlawful discharge of rainwater or other liquid wastes or allowing same to be disposed onto or across public property or sidewalk	50.00
	All other violations of the South Florida Building Code	100.00

*Life Safety Code Violations*

TABLE INSET:

Section	Violation	Fine
NFPA 101	Any violation of the Life Safety Code	\$200.00

*Florida Statutes Violations*

TABLE INSET:

Section	Violation	Fine
F.S. ch. 553	Any violation of accessibility requirements	\$500.00

(Ord. No. 97-3091, § 3(8-14), 7-16-97)

Secs. 14-85--14-105. Reserved.

## ARTICLE I. IN GENERAL

### Sec. 118-1. Site plans.

(a) Where these land development regulations require the submittal of site plans, such site plans shall contain all of the information required by applicable laws and ordinances governing the approval of subdivisions and, in addition, shall show the following:

- (1) The proposed title of the project and the name of the engineer, architect, or landscape architect, and the developer.
- (2) The northpoint, scale, and date.
- (3) Existing zoning and zoning district boundaries.
- (4) The boundaries of the property involved, all existing easements, section lines, and property lines, existing streets, buildings waterways, watercourses, or lakes, and other existing physical features in or adjoining the project.
- (5) The location and sizes of sanitary and storm sewers, water mains, culverts, and other underground structures in or near the project.
- (6) Proposed changes in zoning, if any.
- (7) The location, dimensions, and character of construction of proposed streets, alleys, driveways, curb cuts, entrances and exits, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities.
- (8) The location and dimensions of proposed lots, setback lines, and easements, and proposed reservations for parks, playgrounds, open spaces, and other common areas.
- (9) Location with respect to each other and to lot lines of all proposed buildings and structures, or major excavations, accessory and main.
- (10) Preliminary plans and elevations of the building or buildings, as may be necessary.
- (11) Location, height, and material of all fences, walls, screen planting, and landscaping.
- (12) Location, character, size, and height and orientation of proposed signs, if any.
- (13) A tabulation of the total number of apartment units of various types in the project and the overall project density in square feet of lot area per apartment unit, gross or net as required by district regulations.

(b) The planning and zoning director may establish additional requirements for site plans, and in special cases, may waive a particular requirement if, in his opinion, the requirement is not essential to a proper decision on the project.

(Ord. No. 89-2665, § 21-4, eff. 10-1-89)

### Sec. 118-2. Certificates of occupancy and certificate of use.

(a) No building or structure, or part thereof, or premises, which are hereafter erected or altered, or changed in occupancy, or land upon which a new or different use is established, shall be occupied or used until a certificate of occupancy and certificate of use shall have been applied for and issued.

(b) Certificates of occupancy and certificates of use shall not be issued until the premises have been inspected and found to comply with all requirements of the Code of the city and of these land development regulations, and with the requirements of all other agencies having regulatory authority over the project.

(c) A record of all certificates of occupancy issued hereunder shall be kept on file in the office of the building official.

(d) A record of all certificates of use issued hereunder shall be kept on file in the department of code compliance.

(e) All applications for certificates of occupancy shall be approved or disapproved within three days following application.

(Ord. No. 89-2665, § 21-6, eff. 10-1-89)

### **Sec. 118-3. Mailing lists.**

Where these land development regulations require the submittal of a mailing list in conjunction with an application for a public hearing, the applicant may request that the city provide this service at a cost per mailing address as provided in appendix A.

(Ord. No. 89-2665, § 21-5, eff. 10-1-89; Ord. No. 90-2722, eff. 11-21-90)

### **Sec. 118-4. Authority to enter into development agreement; hearings.**

The city commission shall have authority to enter into a development agreement with any person within the city's jurisdiction if:

(1) The development agreement meets all of the requirements of the Florida Local Government Development Agreement Act, F.S. § 163.3220 et seq.;

(2) Such agreement shall have been considered by the city commission after two public hearings; at the option of the city commission one of the public hearings may be held by the city planning board and approved by the city commission at the second such hearing of thereafter; and

(3) Notice of such public hearings shall have been given in accordance with the Florida Local Government Development Agreement Act.

(Code 1964, § 9D-1)

### **Sec. 118-5. Unity of title; covenant in lieu thereof.**

All applications for building permits where multiple buildings are proposed for a single lot or where single or multiple buildings are proposed for a unified development site consisting of multiple lots, shall be accompanied by one of the following documents:

(1) A unity of title, approved for legal form and sufficiency by the city attorney, which shall run with the land and be binding upon the owner's heirs, successors, personal representatives and assigns, and upon all mortgagees or lessees and others presently or in the future having any interest in the property; or

(2) A declaration of restrictive covenants, also called a covenant in lieu of unity of title approved for legal form and sufficiency by the city attorney, which shall run with the land and be binding upon the owner's heirs, successors, personal representatives and

assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the property. The declaration shall contain the following necessary elements:

a. That the subject site will be developed in substantial accordance with the approved site plan, after one has been submitted and approved under the city's land development regulations. That no modification shall be effectuated without the written consent of the then owner(s) of the [phase] or portion of the property for which modification is sought, all owners within the original unified development site, or their successors, whose consent shall not be unreasonably withheld, and the director of the city's planning department; provided the director finds that the modification would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or tend to provoke a nuisance, or be incompatible with the area concerned when considering the necessity and reasonableness of the modification in relation to the present and future development of the area concerned. Should the director withhold such approval, the then owner(s) of the phase or portion of the property for which modification is sought shall be permitted to seek such modification by application to modify the plan or covenant at public hearing before the appropriate city board or the city commission of Miami Beach Florida, (whichever by law has jurisdiction over such matters). Such application shall be in addition to all other required approvals necessary for the modification sought. Proposed modifications to the property's use, operation, physical condition or site plan shall also be required to return to the appropriate development review board or boards for consideration of the effect on prior approvals and the affirmation, modification or release of previously issued approvals or imposed conditions.

b. That if the subject property will be developed in phases, that each phase will be developed in substantial accordance with the approved site plan.

c. That in the event of multiple ownerships subsequent to site plan approval that each of the subsequent owners shall be bound by the terms, provisions and conditions of the declaration of restrictive covenants. The owner shall further agree that he or she will not convey portions of the subject property to such other parties unless and until the owner and such other party or parties shall have executed and mutually delivered, in recordable form, an instrument to be known as an "easement and operating agreement" which shall contain among other things:

- i. Easements in the common area of each parcel for ingress to and egress from the other parcels;
- ii. Easements in the common area of each parcel for the passage and parking of vehicles;
- iii. Easements in the common area of each parcel for the passage and accommodation of pedestrians;
- iv. Easements for access roads across the common area of [each] parcel to public and private roadways;
- v. Easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
- vi. Easements on each such parcel for construction of buildings and improvements in favor of each such other parcel;
- vii. Easements upon each such parcel in favor of each adjoining parcel

for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footings, supports and foundations;

- viii. Easements on each parcel for attachment of buildings;
- ix. Easements on each parcel for building overhangs and other overhangs and projections encroaching upon such parcel from the adjoining parcels such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;
- x. Appropriate reservation of rights to grant easements to utility companies;
- xi. Appropriate reservation of rights to road right-of-ways and curb cuts;
- xii. Easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and
- xiii. Appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and common facilities and the like.

These provisions or portions thereof may be waived by the director if they are not applicable to the subject property (such as for conveyances to purchasers of individual condominium units). These provisions of the easement and operating agreement shall not be amended without prior written approval of the city attorney. In addition, such easement and operating agreement shall contain such other provisions with respect to the operation, maintenance and development of the property as to which the parties thereto may agree, or the director may require, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan. The department shall treat the unified site as one site under these land development regulations, regardless of separate ownerships.

d. The declaration of restrictive covenants shall be in effect for a period of 30 years from the date the documents are recorded in the public records of Miami-Dade County, Florida, after which time they shall be extended automatically for successive periods of ten years unless released in writing by the then owners and the director, acting for and on behalf of Miami Beach, Florida, upon the demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.

e. Enforcement of the declaration of restrictive covenants shall be by action at law or in equity with costs and reasonable attorneys' fees to the prevailing party.

(Ord. No. 2000-3275, § 1, 10-18-00)

Secs. 118-6--118-30. Reserved.

## Chapter 50 FIRE PREVENTION AND PROTECTION\*

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\*County Code cross reference--Fire prevention, ch. 14.

**Cross references:** Building regulations, ch. 14; civil emergencies, ch. 26; emergency services, ch. 42; discharge of flammable materials, § 66-6; police officers and firefighters supplemental pension, § 78-181 et seq.; private fire service, § 110-41; public fire hydrants, § 110-45.

**State law references:** Fire prevention and protection, F.S. ch. 633.

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[Sec. 50-1. Adoption by reference; short title.](#)

[Sec. 50-2. Life Safety Code adoption by reference.](#)

[Sec. 50-3. Plans examination, inspections, permits.](#)

[Sec. 50-4. Enforcement by fire inspectors; notice of violation.](#)

[Sec. 50-5. Annual fire prevention and fire safety inspection permit.](#)

[Sec. 50-6. Hazardous material registration and permit.](#)

[Sec. 50-7. Penalties for violation of fire codes and enforcement.](#)

### Sec. 50-1. Adoption by reference; short title.

The South Florida Fire Prevention Code and article III of chapter 14 of the Code of Metropolitan Dade County, Florida, are hereby adopted by reference as if fully set forth herein, as those codes may be amended from time to time.

(Code 1964, § 14-1)

### Sec. 50-2. Life Safety Code adoption by reference.

The National Fire Protection Association (NFPA) 101, Life Safety Code, 1991 edition, is hereby adopted by reference as if fully set forth herein, as that code may be amended from time to time.

(Code 1964, § 14-2; Ord. No. 95-2994, § 1, 5-17-95; Ord. No. 96-3045, § 1, 6-19-96)

### Sec. 50-3. Plans examination, inspections, permits.

(a) *Levied.* Permits, inspections and other fees of the fire department of the city are hereby levied and imposed and shall apply to building and fire permits and other activities undertaken by that department.

(b) *Double fees.* When work for which a permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay a double permit fee as specified in this article. The payment of the required fee shall not relieve any person, firm or corporation from fully complying with all of the applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein. The double fee requirement shall be applicable as noted herein. For a second offense of doing work without a permit, the permit applicant shall be required to pay twice the double permit fee. For each subsequent offense, the permit applicant shall be required to pay twice the double permit fee.

(c) *Reinspection fee.* When extra inspection trips are necessary due to an incorrect address given on a call for inspection, prior rejection of work due to faulty construction, work not being

ready for inspection at the time specified, failure to call for final or other inspections, or required corrections not being made or completed at the time specified by the contractor, a fee as specified in appendix A for the second reinspection may be charged to the permit holder in the trade concerned. Payment of the reinspection fee shall be required before any permits will be issued to the person owing the fee. Further inspection may be refused until payment of reinspection fees has been made.

(d) *Lost plans fee.* When permitted plans for fire protection systems are lost by the applicant (s), owner(s), contractor(s), or any other representative of the project, a recertification fee will be required to review, stamp and approve a new set of plans as a field copy. Such fee shall be based on 25 percent of the original fire permit fee as specified in appendix A.

(e) *Revised plans processing fee.* The charge for plans processing of revisions to plans re-processed and permitted shall be based on total actual time spent on review by plans examiners multiplied by plans review fee hourly rate as specified in appendix A.

(f) *Lost permit card fee.* If the permit inspection card is lost after the permit has been issued, a replacement fee as specified in appendix A shall be charged. This fee is charged to cover the cost of researching inspection approvals and re-signing the card.

(g) *Special inspection fee.* A fee equal to actual staff time and related costs shall be assessed for special inspections that are outside the normal scope of fire department work. A minimum fee as specified in appendix A shall be charged. Requests submitted by developers, attorneys, realtors or contractors to inspect a building to determine existing violations shall be considered special inspections.

(h) *Inspection fee hourly rate.* The inspection fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the Department's total projected expenditures, indirect costs and the resources assigned to the inspection program.

(i) *Plans review fee hourly rate.* The plan review fee hourly rate, as specified in appendix A, is determined at the beginning of each fiscal year based on the Department's total projected expenditures, indirect costs and the resources assigned to the plans review program.

(j) *Plans re-review fee.* When extra plans reviews are due to the failure to correct a code violation specifically and continuously noted in each rejection, a fee shall be charged as specified in appendix A. Each time after the third such review that plans are rejected for the same code violation, a fee of four times the cost associated with the specific plans review shall be charged. The cost is calculated based on the actual time spent by plans examiners multiplied by the plans review fee hourly rate, as specified in appendix A.

(k) *Temporary certificate of occupancy inspection fee.* Whenever the contractor requests a temporary certificate of occupancy that requires a fire inspection approval, a fee shall be charged as specified in appendix A.

(l) *Refunds, time limitations, cancellations.* The fees charged pursuant to this Code, may be refunded by the fire official subject to the following:

(1) No refunds shall be made on requests involving:

- a. Permit fees of \$75.00 or less; or
- b. Permits revoked by the fire or building officials; or
- c. Permits cancelled by court order; or
- d. Permits which have expired; or
- e. Permits under which work has commenced as evidenced by any recorded inspection having been made by the department.

(2) A full refund shall be granted to a permit holder who takes out a permit covering

work outside the jurisdictional inspection area.

(3) A full refund less \$75.00 or 30 percent of the permit fee, whichever amount is greater, rounded down to the nearest dollar shall be granted to a permit holder who requests a refund in writing, provided:

- a. That the permit holder makes a written request prior to the permit expiration date; and,
- b. That a validated copy of the permit be submitted with such request; and,
- c. That no work, as evidenced by any recorded inspection, has commenced under such permit.

(4) Where there is a change of contractor involving a permit for which a fee of more than \$50.00 was paid:

- a. The original permit holder:
  1. Is not entitled to any refund if the permit has expired or if work, as evidenced by any recorded inspection, has commenced under such permit;
  2. Is entitled to a full refund, where the permit has not expired and no work, as evidenced by any recorded inspection, has commenced.
- b. The second permit holder shall pay:
  1. A full fee if the original permit has expired; or
  2. A fee specified in appendix A to cover the cost of transferring the data from the original to the second permit and processing the second permit in instances where work, as evidenced by any recorded inspection, has commenced under the original unexpired permit;
  3. A full fee as specified in appendix A to cover the transferring and reprocessing costs where no work, as evidenced by any recorded inspection, has commenced under the original unexpired permit.

(5) A fee as specified in appendix A shall be paid by the permit holder who submits a written request for a permit extension.

(6) Where a permit has become null and void or expires, and no work, as evidenced by at least one recorded inspection, has been made by the department, a credit of 50 percent of the original permit fee covering the same project and involving the same plans shall be given, provided that a complete reapplication is made within 180 days of the expiration date of the original permit and provided that no refund has been made according to this section. The reapplication must be submitted with the plans and the applicant's validated copy of the original permit. The amount of this fee shall be, at least, equal to or higher than the minimum fee for the trade concerned.

(m) *New building and/or additions.*

- (1) Fees for new building and/or additions are as specified in appendix A.
- (2) For greenhouses and nonresidential buildings used for agricultural purposes, and screened enclosures and traller additions when located on the premises so used, the fee shall be as specified in appendix A.

(n) *New construction other than as specified in this section.* See appendix A.

(o) *Alterations and repairs to buildings and other structures.* See appendix A.

(p) *Hydrant flow tests unless in conjunction with acceptance test for sprinkler systems.* See

appendix A.

(q) *Plan review and acceptance test for sprinkler or standpipe systems.* See appendix A.

(r) *Plan review and acceptance test for alarm systems.* See appendix A.

(s) *Fire extinguishing systems.* See appendix A.

(t) *Periodic fire standpipe system test.* On existing buildings, this test is required every two years. See appendix A.

(u) *Fireworks permit, public display.* See appendix A.

(v) *Open burning permit.* See appendix A.

(Code 1964, § 14-7; Ord. No. 2003-3426, § 1, 9-18-03)

### **Sec. 50-4. Enforcement by fire inspectors; notice of violation.**

(a) *Notice of violation.* If, upon inspection, a fire inspector finds either an overcrowded condition in excess of permissible occupant load criteria as defined in the South Florida Fire Prevention Code and National Fire Protection Association, entitled Life Safety Code 101, as amended from time to time, or a locked, blocked or impeded exit, a violation of this section shall exist. Upon the finding of such violation, the fire inspector shall:

- (1) Inform the violator that the conditions causing the violation must immediately cease;
- (2) Inform the violator that additional penalties will be imposed if the violation continues; and
- (3) Issue a notice of violation to the violator as provided for in the South Florida Fire Prevention Code.

The notice of violation shall also state, but not be limited to: the name of the violator, the date and time of the violation, address of the violation, amount of fine for which the violator may be liable, instructions and due date for paying the fine, notice that the violation may be appealed by requesting an administrative hearing within ten days after the date printed on the notice of violation issued by the fire inspector, that failure to timely appeal shall constitute an admission of the violation and waiver of the right to a hearing, that unpaid fines may result in the imposition of larger fines and may result in revocation of both the occupational license and certificate of use and/or the imposition of injunctive proceedings as provided by law.

(b) *Civil fines for violations; appeals.* The following civil fines shall be imposed for violation of this section:

- (1) First offense: \$200.00.
- (2) Second offense and each offense thereafter within 12 months of the most recent offense: \$500.00.

(c) *"Offense" defined.* For purposes of this section, "offense" shall mean a notice of violation which has not been appealed timely or a finding of violation by a special master. A person may receive a separate notice of violation once every hour if a violation has occurred at any time within that period. Each notice of violation shall constitute a separate offense for which a separate fine may be imposed.

(d) *Options upon notification.* A violator who has been served with a notice of violation shall elect either to:

- (1) Pay the civil fine in the manner indicated on the notice of violation; or
- (2) Request an administrative hearing before a special master to appeal the decision of

the fire inspector which resulted in the issuance of the notice of violation.

(e) *Appeal.* The procedures for appeal of the notice of violation shall be as set forth in sections 102-384 and 102-385, as such subsections may be amended from time to time. A courtesy mail notice shall be provided the complainant of any hearing regarding the notice of violation, and the complainant may testify at such hearings. Failure to give such notice shall not be a cause for continuance or cancellation of any scheduled hearing of the matter.

(f) *Failure to appeal.* Failure of the named violator to appeal the decision of the fire inspector within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the violation, and penalties may be assessed accordingly.

(g) *Appeal of special master's decision.* Any party aggrieved by the decision of a special master may appeal that decision to a court of competent jurisdiction as provided in F.S. § 162.11.

(h) *Imposition of civil fines.* The city may institute proceedings in a court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator, and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the city may institute proceedings to foreclose or otherwise execute on the lien.

(i) *Revocation or suspension of license.* As an alternative or additional means of enforcement, the city may institute proceedings to revoke or suspend an occupational license and/or certificate of use pursuant to chapter 102, article V. For purposes of enforcement under chapter 102, article V, any offenses as defined in subsection (c) of this section shall be deemed an "emergency condition" involving serious danger to the public health, safety or welfare. Additionally, the city may seek injunctive relief as set forth in section 46-158. Furthermore, in cases of recurring violations, the code compliance officer may issue a citation for prosecution before the special master as provided in chapter 30.

(Ord. No. 97-3073, § 1(14-3.1), 3-5-97)

### **Sec. 50-5. Annual fire prevention and fire safety inspection permit.**

(a) *Permit required; general provisions.* No person shall operate, utilize or occupy any facility, instrumentality or real property, or any part thereof, or cause, allow, let or permit to be operated, utilized or occupied any facility, instrumentality or real property, or any part thereof, or undertake any activity or cause to be undertaken any activity for which a fire safety permit is required in accordance with the provisions of this section without first obtaining such a valid fire safety permit. Fire safety permits shall be kept on the premises and shall be subject to inspection by a representative of the fire department. All premises shall be inspected from time to time to determine whether they comply with the provisions of applicable ordinances and regulations. The owner shall be notified of any deficiencies noted, and appropriate reinspection may be made to determine whether or not the deficiencies have been corrected. Fire safety permits shall not be transferable and any change in use or occupancy of the premises shall require the issuance of a new fire safety permit. All applications for fire safety permits shall be reviewed by the fire marshal's office. If an application for a fire safety permit is rejected, the applicant shall be advised of the reasons for such rejection. Fire safety permits shall be issued by the fire marshal's office and shall bear the names and signature of the fire marshal or his designated representative.

(b) *Contents.* Fire safety permits shall contain the following information:

- (1) Operation or activities for which the fire safety permit is issued.
- (2) Address or location and telephone number where the operation or activity requiring the issuance of a fire safety permit is to be conducted.
- (3) Name, address and telephone number of the permittee.
- (4) Fire safety permit number and date of issuance.
- (5) Period of validity of the fire safety permit.
- (6) Inspection requirements.

(c) *Application, issuance.*

(1) Within 30 days of March 15, 1997, the city shall mail an invoice requiring the payment of the fire safety fee, in accordance with the fee schedule set forth in this section, to all persons holding a certificate of use issued by the city. Upon payment of the required fee, the department shall issue the fire safety permit. Such permit shall be renewed annually upon payment of the required fee.

(2) Any person applying for a new certificate of use shall concurrently with such application make an application for a fire safety permit to the fire department. Such application for a fire safety permit shall be accompanied by such information as may be required by the fire department, and the required fee. Upon payment of the required fee and issuance of the certificate of use, the fire department shall issue the fire safety permit, which shall be renewed annually upon payment of the required fee.

(3) Application for a fire safety permit shall be made to the fire department by all persons who are not required to hold a certificate of use who are utilizing or occupying any facility, instrumentality or real property or any part thereof, or undertaking any activity or causing to be undertaken any activity for which is required a fire safety permit in accordance with the provisions of this section. Such application shall be accompanied by such information as shall be required by the fire department and the required fee.

(d) *Fees.* The fees for the issuance of the fire safety permit and the annual renewal thereof, as may be required, are herein fixed as follows. Occupancies are classified in accordance with chapter 4 of the National Fire Protection Association (NFPA) 101 Life Safety Code adopted by the city.

As provided in Res. No. \_\_\_\_\_, a review of the annual fee will be required whenever the change in the Consumer Price Index (CPI), between the latest CPI and the date of the CPI used for the last fee adjustment, is five percent or greater.

(1) *Assembly occupancies.* Those occupancies that include, but are not limited to, all buildings or portions of buildings used for gathering together 50 or more persons for such purposes as deliberation, worship, entertainment, eating, drinking, amusement or awaiting transportation.

- a. Class A--occupant load greater than 1,000 persons: See appendix A.
- b. Class B--occupant load greater than 300 but not greater than 1,000 persons: See appendix A.
- c. Class C--occupant load of 50 or more but not greater than 300 persons: See appendix A.

(2) *Educational occupancies.* Those occupancies that include buildings or portions of buildings used for educational purposes through the 12th grade by six or more persons for four or more hours per day or more than 12 hours per week.

- a. Schools, private, educational facilities inclusive of the first to the 12th grade:

Buildings up to 10,000 square feet: See appendix A.

Buildings greater than 10,000 square feet: See appendix A.

b. Nurseries, day care centers, kindergartens, educational facilities up to, but not including the first grade: See appendix A.

(3) *Health care occupancies.* Those occupancies used for purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease or infirmity; and for the care of infants, convalescents or infirm aged persons. Health care occupancies provide sleeping facilities for four or more occupants and are occupied by persons who are mostly incapable of self-preservation because of age, physical or mental disability, or because of security measures not under the occupants' control.

Private hospitals, nursing homes, limited care facilities:

Up to 100 beds: See appendix A.

Over 100 beds: See appendix A.

(4) *Residential occupancies.* Those occupancies in which sleeping accommodations are provided for normal residential purposes and include all buildings designed to provide sleeping accommodations.

a. Apartment buildings:

Three to 11 dwelling units: See appendix A.

Twelve to 50 dwelling units: See appendix A.

Over 50 dwelling units: See appendix A.

b. Hotel, motel, dormitories, lodginghouse or roominghouse:

Three to 50 rental sleeping units: See appendix A.

Over 50 sleeping units: See appendix A.

c. Board and care facilities:

Small facilities, not more than 16 residents: See appendix A.

Large facilities, more than 16 residents: See appendix A.

(5) *Mercantile occupancies.*

a. Class A--all stores having an aggregate gross area of more than 30,000 square feet or utilizing more than three levels, excluding mezzanines, for sales purposes: See appendix A.

b. Class B--all stores of more than 3,000 square feet but not more than 30,000 square feet aggregate gross area, or utilizing floors above or below the street floor level for sales purposes: See appendix A.

c. Class C--all stores of not more than 3,000 square feet gross area used for sales purposes on one story only, excluding mezzanines: See appendix A.

(6) *Business occupancies.* Those occupancies used for the transaction of business, other than those covered under subsection (d)(5) of this section, for the keeping of accounts and record, and for similar purposes.

a. General offices, including doctors', dentists', and outpatient clinics (ambulatory):

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.

- b. Colleges and university instructional buildings, classrooms under 50 persons, and instructional laboratories: See appendix A.

(7) *Industrial occupancies.* Those occupancies such as factories making products of all kinds and properties devoted to operations such as processing, assembling, mixing, packaging, finishing or decorating and repairing.

- a. General industrial occupancies--industrial operations conducted in buildings of conventional design suitable for various types of industrial processes, subject to possible use for types of industrial processes with high density of employee population:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.

- b. Special purpose industrial occupancies--industrial operations in buildings designed for and suitable only for particular types of operations, characterized by a relatively low density of employee population, with much of the area occupied by machinery or equipment:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.

- c. High hazard industrial occupancies--buildings having high hazard materials, processes, or contents:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.

(8) *Storage occupancies.* Those occupancies which include all buildings or structures utilized primarily for the storage or sheltering of goods, merchandise, products, vehicles or animals.

- a. Low hazard contents--classified as those of such low combustibility that no self-propagating fire therein can occur: See appendix A.

- b. Ordinary hazard contents--classified as those that are likely to burn with moderate rapidity or to give off a considerable volume of smoke:

Up to 10,000 square feet: See appendix A.

Over 10,000 square feet: See appendix A.

- c. High hazard contents--classified as those that are likely to burn with extreme rapidity or from which explosions are likely:

Up to 5,000 square feet: See appendix A.

Over 5,000 square feet: See appendix A.

(9) *Marinas.*

- a. Three to 12 boat slips: See appendix A.

- b. Thirteen to 50 boat slips: See appendix A.

- c. Over 50 boat slips: See appendix A.

(10) *Miscellaneous.* All uses of buildings not previously covered by this section shall be classified by the fire marshal as the most similar use delineated above and assessed an

inspection fee accordingly.

(e) *Revocation, penalties.* The fire marshal may revoke the fire safety permit if, upon inspection, any violation of this section, the South Florida Fire Prevention Code or chapter 14 of the Dade County Code, or any violation of any condition, limitation or restriction which is part of a fire safety permit issued is found and not corrected within a reasonable amount of time. Revocation shall be effective when the permit holder is duly notified by the fire marshal. In addition to the penalties prescribed under the code adopted in section 50-2, any person who uses any premises after the fire safety permit has been revoked shall be in violation of this section and shall be subject to proceedings to revoke or suspend an occupational license and/or certificate of use pursuant to chapter 102, article V, and/or other penalties under applicable law. For purposes of enforcement under chapter 102, article V, use of any premises without a valid fire safety permit shall be deemed an emergency condition involving serious danger to the public health, safety or welfare.

(Ord. No. 97-3072, § 1(14-7.1), 3-5-97; Ord. No. 2003-3421, § 1, 7-30-03)

## **Sec. 50-6. Hazardous material registration and permit.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Hazardous material* means that material, chemical or substance which is highly flammable, or which may self-react with other materials to cause fires or explosions, or which by its presence creates or augments a fire or explosion hazard, or which by its toxicity, radioactivity or any other physical, chemical or nuclear property, when contained or when involved in an unauthorized release, may cause danger to life or create serious health hazard. Hazardous materials shall include such materials as compressed gases, cryogenic fluid, flammable liquid, combustible liquid, flammable solid, corrosives, oxidizing material, reactive and unstable material, highly toxic, poisonous and radioactive material, whether the material is in usable or waste condition. Hazardous materials shall include material identified in the Florida Substance List compiled by the state department of labor and employment security pursuant to F.S. § 442.103.

*Person* means any natural person, firm, individual association, corporation, partnership, joint venture, municipality, governmental agency, political subdivision, public officer, partner, director, officer, public corporation or any other entity of any kind whatsoever, jointly and severally, singular or plural.

*Placard* means a visible hazard identification sign or plate indicating any and all of the hazardous materials presently stored, handled or used on the premises.

*Premises* means the building or structure or portion thereof upon which hazardous material is stored, handled or used.

(b) *Hazardous material registration and permit.* No person shall store, handle or use any hazardous materials unless and until a valid permit has been issued by the fire department, in accordance with South Florida Fire Prevention Code, article 31, section 31.103. Anyone obtaining a permit under this section shall pay a permit fee as set forth in appendix A during the month following the enactment of this legislation, but by no later than October 1. Permits shall be renewed on an annual basis. Failure to pay the fee within 30 days will result in a late permit fee as set forth in appendix A. Failure to pay the fee within 90 days will result in a late permit fee as set forth in appendix A. All applications for permits shall be on a form prescribed by the fire department and accompanied by a hazardous material inventory form providing the following information:

- (1) The chemical or common name of the hazardous materials on the premises.
- (2) An estimate of the maximum amount of hazardous material present on the

premises.

(3) An estimate amount of the average daily hazardous material present on the premises.

(4) The specific location of the hazardous materials on the premises.

(5) A brief description of the manner of storage of the hazardous materials.

(c) *Placard requirement.* Every person who obtains a permit pursuant to this section shall affix a placard for each hazardous material on the premises. Such placard shall be in compliance with NFPA section 704 or as approved by the fire department. The placard must be affixed to a conspicuous location where each of the hazardous materials is stored, handled or used on the premises. The placard may be obtained by the person or purchased from the fire department at a cost as set forth in appendix A.

(d) *Inspection.* Every person shall allow the fire department to conduct an on-site inspection of the premises and shall provide to the fire department, upon request, information on the specific types, amounts and locations of any and all hazardous material on the premises.

(e) *Enforcement.* Any person who fails or refuses to comply with, or violates, any of the provisions of this section shall be subject to prosecution under the city's code enforcement system, in accordance with chapter 30, and shall be subject to immediate suspension of the person's business license until such time as the provisions have been complied with.

(Ord. No. 97-3082, § 1(14-8), 6-4-97)

#### **Sec. 50-7. Penalties for violation of fire codes and enforcement.**

Any person, firm or corporation who violates or fails to comply with the minimum standards established and adopted by this chapter as may be amended, shall upon conviction, be fined not less than \$100.00 for the first violation and not less than \$1,000.00 for each subsequent violation. In addition, the county judge may, in his discretion, impose an additional penalty of imprisonment for a period of up to 90 days. Each day such violation shall be permitted to exist shall constitute a separate offense. As an alternative method of enforcement, any person, firm or corporation who violates or fails to comply with any of the minimum standards established and adopted by this chapter and who fails to comply with a final order issued in accordance with the provisions of this chapter may be subject to enforcement procedures before a special master of the city and to penalties as set forth in Chapter 30 of this Code.

(Ord. No. 90-2716, § 1, 9-19-90)

**ATTACHMENT V:  
PRELIMINARY FEE ANALYSIS**

Preliminary Review of Certificate of Use Revenue vs. Cost Estimate

	FY2007/08	FY2008/09
	YTD	
Certificate of Use Actual Revenue	\$369,840	\$311,266
Certificate of Use Direct Cost to the City	\$713,017	
Indirect Costs to the City	\$61,610	
Total Cost (Direct and Indirect)	\$774,628	
Variance	(\$404,787)	

Department	% of Time Spent in New Application			% of Time Spent in Renewals			Total Time				Cost Estimate								
	Business Tax	Certificate of Use	Annual Fire Permit	Business Tax	Certificate of Use	Annual Fire Permit	Business Tax	Certificate of Use	Annual Fire Permit	Total Time Spent	Annual Salary	MICA (1.45%)	Pension (21.57%)	Insurance (\$5,000)	Total Salary & Benefits	Cost of Business Tax	Cost of Certificate of Use	Cost of Annual Fire Permit	Total Cost
<b>Fire Department</b>																			
Fire Lieutenant	0%	30%	5%	0%	5%	30%	0%	35%	35%	70%	\$138,783.00	\$2,012,354	\$29,935.49	\$5,000.00	\$175,730.85	\$0.00	\$61,505.80	\$61,505.80	\$123,011.59
Fire Protection Analyst	0%	5%	5%	0%	5%	25%	0%	10%	30%	40%	\$77,520.00	\$1,124,040	\$16,721.06	\$5,000.00	\$100,365.10	\$0.00	\$10,036.51	\$30,109.53	\$40,146.04
Firefighter I/Inspector	0%	20%	5%	0%	0%	40%	0%	20%	45%	65%	\$99,712.00	\$1,445,824	\$21,507.88	\$5,000.00	\$127,665.70	\$0.00	\$25,533.14	\$57,449.57	\$82,982.71
Firefighter II/Inspector	0%	20%	5%	0%	0%	40%	0%	20%	45%	65%	\$85,450.00	\$1,239,025	\$18,431.57	\$5,000.00	\$110,120.59	\$0.00	\$22,024.12	\$49,554.27	\$71,578.38
Fire Inspector I	0%	35%	5%	0%	0%	40%	0%	35%	45%	80%	\$44,844.54	\$650,246	\$9,672.97	\$5,000.00	\$60,167.75	\$0.00	\$21,058.71	\$27,075.49	\$48,134.20
Fire Inspector I	0%	35%	5%	0%	0%	40%	0%	35%	45%	80%	\$44,844.54	\$650,246	\$9,672.97	\$5,000.00	\$60,167.75	\$0.00	\$21,058.71	\$27,075.49	\$48,134.20
Fire Inspector I	0%	35%	5%	0%	0%	40%	0%	35%	45%	80%	\$44,844.54	\$650,246	\$9,672.97	\$5,000.00	\$60,167.75	\$0.00	\$21,058.71	\$27,075.49	\$48,134.20
Fire Inspector I	0%	35%	5%	0%	0%	40%	0%	35%	45%	80%	\$44,844.54	\$650,246	\$9,672.97	\$5,000.00	\$60,167.75	\$0.00	\$21,058.71	\$27,075.49	\$48,134.20
Adm Assist I	0%	10%	0%	0%	0%	20%	0%	10%	20%	30%	\$59,891.00	\$868,420	\$12,918.49	\$5,000.00	\$78,677.91	\$0.00	\$7,867.79	\$15,735.58	\$23,603.37
Adm Aide I	0%	30%	10%	0%	0%	40%	0%	30%	50%	80%	\$46,374.38	\$672,429	\$10,002.95	\$5,000.00	\$62,049.76	\$0.00	\$18,614.93	\$31,024.88	\$49,639.81
Data Entry Clerk	0%	20%	10%	0%	0%	40%	0%	20%	50%	70%	\$42,587.00	\$617,512	\$9,186.02	\$5,000.00	\$57,390.53	\$0.00	\$11,478.11	\$28,695.26	\$40,173.37
Clerk Typist	0%	10%	10%	0%	10%	10%	0%	20%	20%	40%	\$46,374.38	\$672,429	\$10,002.95	\$5,000.00	\$62,049.76	\$0.00	\$12,409.95	\$12,409.95	\$24,819.90
<b>TOTAL</b>															\$0.00	\$274,763.91	\$421,862.28	\$696,626.19	
<b>Building Department</b>																			
Engineering Inspector (Reporting, research, inspections request and Follow-up)	0%	32%	0%	0%	0%	0%	0%	32%	0%	32%	\$62,816.91	\$910.85	\$13,549.61	\$5,000.00	\$82,277.36	\$0.00	\$26,328.76	\$0.00	\$26,328.76
Electrical Inspector- Inspection & Traveling Time	0%	17%	0%	0%	0%	0%	0%	17%	0%	17%	\$67,058.60	\$972.35	\$14,464.54	\$5,000.00	\$87,495.49	\$0.00	\$14,874.23	\$0.00	\$14,874.23
Plumbing Inspector- Inspection & Traveling Time	0%	17%	0%	0%	0%	0%	0%	17%	0%	17%	\$67,062.65	\$972.41	\$14,465.41	\$5,000.00	\$87,500.47	\$0.00	\$14,875.08	\$0.00	\$14,875.08
Mechanical Inspector-Inspection & Traveling Time	0%	17%	0%	0%	0%	0%	0%	17%	0%	17%	\$71,003.25	\$1,029.55	\$15,315.40	\$5,000.00	\$92,348.20	\$0.00	\$15,699.19	\$0.00	\$15,699.19
Building Inspector-Inspection & Traveling Time	0%	17%	0%	0%	0%	0%	0%	17%	0%	17%	\$63,236.45	\$916.93	\$13,640.10	\$5,000.00	\$82,793.48	\$0.00	\$14,074.89	\$0.00	\$14,074.89
<b>TOTAL</b>															\$0.00	\$85,852.15	\$0.00	\$85,852.15	
<b>Asset Management</b>																			
Redevelopment Specialist	10%	0%	0%	2%	0%	0%	12%	0%	0%	12%	\$100,971.76	\$1,464.09	\$21,779.61	\$5,000.00	\$129,215.46	\$15,505.86	\$0.00	\$0.00	\$15,505.86
<b>TOTAL</b>															\$15,505.86	\$0.00	\$0.00	\$15,505.86	
<b>Risk Management</b>																			
Risk Manager	3.50%	0%	0%	3.50%	0%	0%	7%	0%	0%	7%	\$119,222.38	\$1,728.72	\$25,716.27	\$5,000.00	\$151,667.37	\$10,616.72	\$0.00	\$0.00	\$10,616.72
<b>TOTAL</b>															\$10,616.72	\$0.00	\$0.00	\$10,616.72	
<b>Code Compliance</b>																			
Code Compliance Administrator	0%	10%	0%	0%	5%	0%	0%	15%	0%	15%	\$71,686.01	\$1,039.45	\$15,462.67	\$5,000.00	\$93,188.13	\$0.00	\$13,978.22	\$0.00	\$13,978.22
Code Compliance Officers (1 and 2)**	0%	5%	0%	0%	0%	0%	0%	5%	0%	5%	\$50,480.03	\$731.96	\$10,888.54	\$5,000.00	\$67,100.53	\$0.00	\$3,355.03	\$0.00	\$3,355.03
<b>TOTAL</b>															\$0.00	\$17,333.25	\$0.00	\$17,333.25	
<b>Public Works</b>																			
Engineering Assistant I	0%	6.25%	0%	0%	0%	0%	0%	6.25%	0%	6.25%	\$40,955.20	\$593.85	\$8,834.04	\$5,000.00	\$55,383.09	\$0.00	\$3,461.44	\$0.00	\$3,461.44
Engineering Assistant II	0%	6.25%	0%	0%	0%	0%	0%	6.25%	0%	6.25%	\$63,722.70	\$923.98	\$13,744.99	\$5,000.00	\$83,391.67	\$0.00	\$5,211.98	\$0.00	\$5,211.98
Engineering Assistant III	0%	6.25%	0%	0%	0%	0%	0%	6.25%	0%	6.25%	\$52,385.20	\$759.59	\$11,299.49	\$5,000.00	\$69,444.27	\$0.00	\$4,340.27	\$0.00	\$4,340.27
Planning Technician	0%	6.25%	0%	0%	0%	0%	0%	6.25%	0%	6.25%	\$70,064.97	\$1,015.94	\$15,113.01	\$5,000.00	\$91,193.93	\$0.00	\$5,699.62	\$0.00	\$5,699.62
<b>TOTAL</b>															\$0.00	\$18,713.31	\$0.00	\$18,713.31	
<b>Planning</b>																			
Director	0%	4%	0%	0%	0%	0%	0%	4%	0%	4%	\$174,999.76	\$2,537.50	\$37,747.45	\$5,000.00	\$220,284.70	\$0.00	\$8,811.39	\$0.00	\$8,811.39
Planner	0%	90%	0%	0%	0%	0%	0%	90%	0%	90%	\$60,133.99	\$871.94	\$12,870.90	\$5,000.00	\$78,976.83	\$0.00	\$71,079.15	\$0.00	\$71,079.15
Senior Planner	0%	20%	0%	0%	0%	0%	0%	20%	0%	20%	\$59,561.78	\$863.65	\$12,847.48	\$5,000.00	\$78,272.90	\$0.00	\$15,654.58	\$0.00	\$15,654.58
Planner	0%	15%	0%	0%	0%	0%	0%	15%	0%	15%	\$52,949.99	\$767.77	\$11,421.31	\$5,000.00	\$70,139.08	\$0.00	\$10,520.86	\$0.00	\$10,520.86
Planner	0%	15%	0%	0%	0%	0%	0%	15%	0%	15%	\$52,950.04	\$767.78	\$11,421.32	\$5,000.00	\$70,139.14	\$0.00	\$10,520.87	\$0.00	\$10,520.87
Planner	0%	20%	0%	0%	0%	0%	0%	20%	0%	20%	\$57,270.64	\$830.42	\$12,353.28	\$5,000.00	\$75,454.34	\$0.00	\$15,090.87	\$0.00	\$15,090.87
Planning and Zoning Manager	0%	10%	0%	0%	0%	0%	0%	10%	0%	10%	\$107,055.52	\$1,552.31	\$23,091.88	\$5,000.00	\$136,699.70	\$0.00	\$13,669.97	\$0.00	\$13,669.97
<b>TOTAL</b>															\$0.00	\$145,347.69	\$0.00	\$145,347.69	

Department	% of Time Spent in New Application			% of Time Spent in Renewals			Total Time				Cost Estimate								
	Business Tax	Certificate of Use	Annual Fire Permit	Business Tax	Certificate of Use	Annual Fire Permit	Business Tax	Certificate of Use	Annual Fire Permit	Total Time Spent	Annual Salary	MICA (1.45%)	Pension (21.57%)	Insurance (\$5,000)	Total Salary & Benefits	Cost of Business Tax	Cost of Certificate of Use	Cost of Annual Fire Permit	Total Cost
<b>Finance</b>																			
Revenue Manager	7.50%	6%	1.50%	10%	8%	2%	18%	14%	4%	35%	\$114,329.80	\$1,657.78	\$24,660.94	\$5,000.00	\$145,648.52	\$25,488.49	\$20,390.79	\$5,097.70	\$50,976.98
Financial Analyst III	5%	4%	1%	5%	4%	1%	10%	8%	2%	20%	\$73,253.44	\$1,062.17	\$15,800.77	\$5,000.00	\$95,116.38	\$9,511.64	\$7,609.31	\$1,902.33	\$19,023.28
Financial Analyst I	30%	24%	6%	10%	8%	2%	40%	32%	8%	80%	\$57,270.72	\$830.43	\$12,353.29	\$5,000.00	\$75,454.44	\$30,181.78	\$24,145.42	\$6,036.36	\$60,363.55
Financial Specialist II	30%	24%	6%	10%	8%	2%	40%	32%	8%	80%	\$62,287.42	\$903.17	\$13,435.40	\$5,000.00	\$81,625.98	\$32,650.39	\$26,120.31	\$6,530.08	\$65,300.79
Financial Specialist I	37.50%	30%	7.50%	12.50%	10%	2.50%	50%	40%	10%	100%	\$49,396.94	\$716.26	\$10,654.92	\$5,000.00	\$65,768.12	\$32,894.06	\$26,307.25	\$6,576.81	\$65,768.12
Financial Analyst II	2.50%	2%	0.50%	5%	4%	1%	8%	6%	2%	15%	\$67,615.34	\$980.42	\$14,584.63	\$5,000.00	\$88,180.39	\$6,613.53	\$5,290.82	\$1,322.71	\$13,227.06
Chief Financial Officer	1%	0.80%	0.20%	1%	0.80%	0.20%	2%	2%	0%	4%	\$213,243.68	\$3,092.03	\$45,996.66	\$5,000.00	\$267,332.38	\$5,346.65	\$4,277.32	\$1,069.33	\$10,693.30
Assistant Director Finance	2%	1.60%	0.40%	2.50%	2%	0.50%	5%	4%	1%	9%	\$152,960.34	\$2,217.92	\$32,993.55	\$5,000.00	\$193,171.81	\$8,692.73	\$6,954.19	\$1,738.55	\$17,385.46
Executive Office Associate I	2.50%	2%	0.50%	2.50%	2%	0.50%	5%	4%	1%	10%	\$70,527.91	\$1,022.65	\$15,212.87	\$5,000.00	\$91,763.43	\$4,588.17	\$3,670.54	\$917.63	\$9,176.34
Office Associate V	2.50%	2%	0.50%	2.50%	2%	0.50%	5%	4%	1%	10%	\$44,844.62	\$650.25	\$9,672.98	\$5,000.00	\$60,167.85	\$3,008.39	\$2,406.71	\$601.68	\$6,016.79
Office Associate III	2.50%	2%	0.50%	2.50%	2%	0.50%	5%	4%	1%	10%	\$37,308.73	\$540.98	\$8,047.49	\$5,000.00	\$50,897.20	\$2,544.86	\$2,035.89	\$508.97	\$5,089.72
Financial Analyst III	35%	28%	7%	15%	12%	3%	50%	40%	10%	100%	\$78,837.76	\$1,143.15	\$17,005.30	\$5,000.00	\$101,986.21	\$50,993.11	\$40,794.48	\$10,198.62	\$101,986.21
<b>TOTAL</b>															<b>\$212,503.80</b>	<b>\$170,003.04</b>	<b>\$42,500.76</b>	<b>\$425,007.59</b>	
<b>Parking</b>																			
Assistant Parking Director	0%	0.417%	0%	0%	0%	0%	0%	0.417%	0%	0.417%	\$130,897.52	\$1,898.01	\$28,234.60	\$5,000.00	\$166,030.13	\$0.00	\$692.35	\$0.00	\$692.35
Office Associate IV	0%	0.417%	0%	0%	0%	0%	0%	0.417%	0%	0.417%	\$56,669.61	\$821.71	\$12,223.63	\$5,000.00	\$74,714.95	\$0.00	\$311.56	\$0.00	\$311.56
<b>TOTAL</b>															<b>\$0.00</b>	<b>\$1,003.91</b>	<b>\$0.00</b>	<b>\$1,003.91</b>	
<b>Police</b>																			
<b>TOTAL</b>																			

Police participation is less than 1% and is not included as part of this calculation

Indirect Costs by Department		
Department	Indirect Cost Rate	Indirect Cost
Planning	23.20%	\$ 33,720.66
Public Works/Engineering	10.13%	\$ 1,895.66
Fire Prevention	3.57%	\$ 9,809.07
Building	15.59%	\$ 13,384.35
Code Compliance	25.71%	\$ 2,729.56
Parking	7.08%	\$ 71.08
<b>TOTAL</b>		<b>\$ 61,610.38</b>

**NOTES:**

\* Inspectors that perform inspections varies, therefore, inspector's names was not provided. Salaries calculated as the average salary for employees in that position

\*\* If certificate of use renewals are required, % Time Spent would be the same as New Application.

\*\* Code Compliance Officer (1 and 2) salaries calculated as the average salary for all employees in that position